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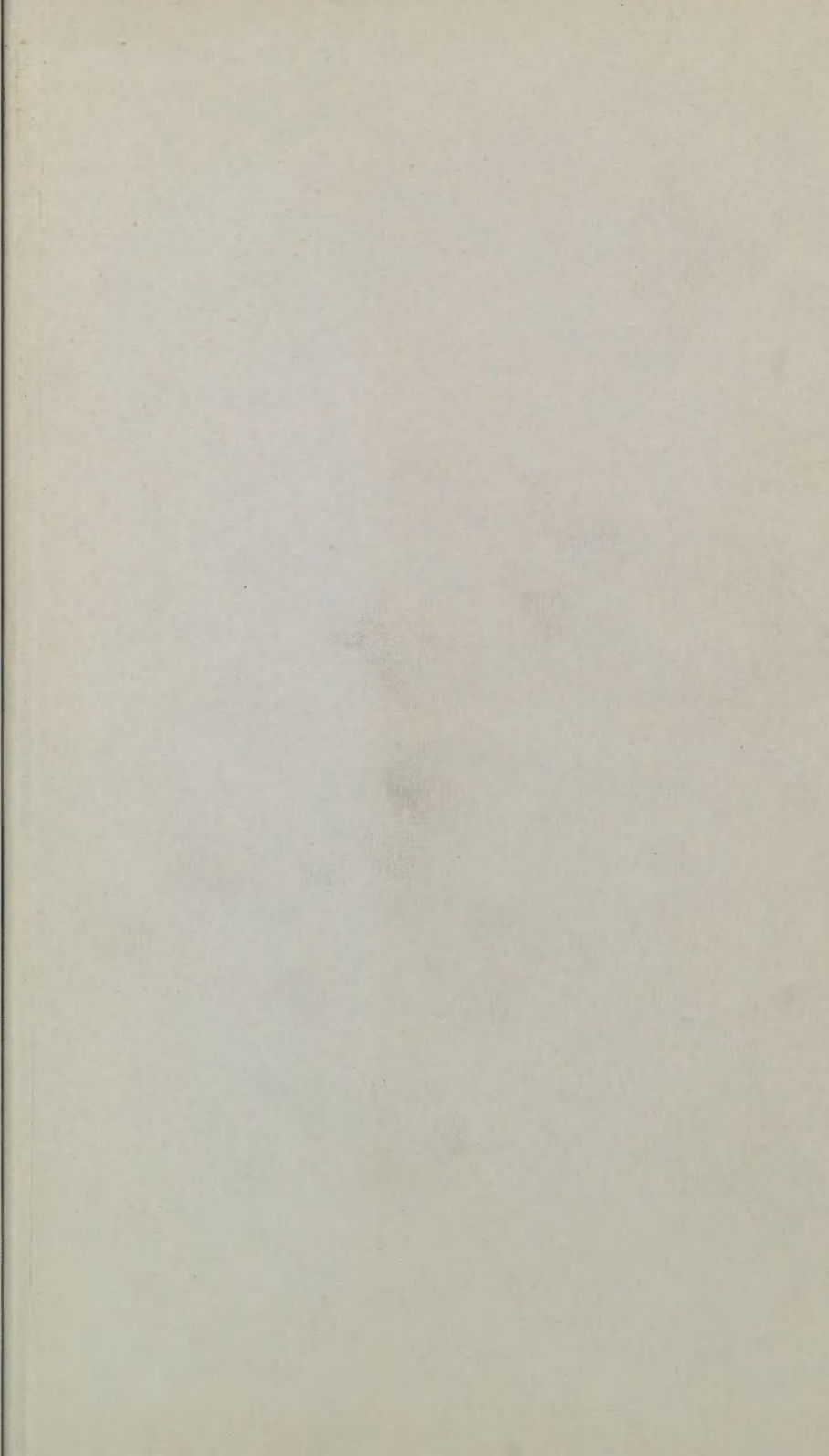
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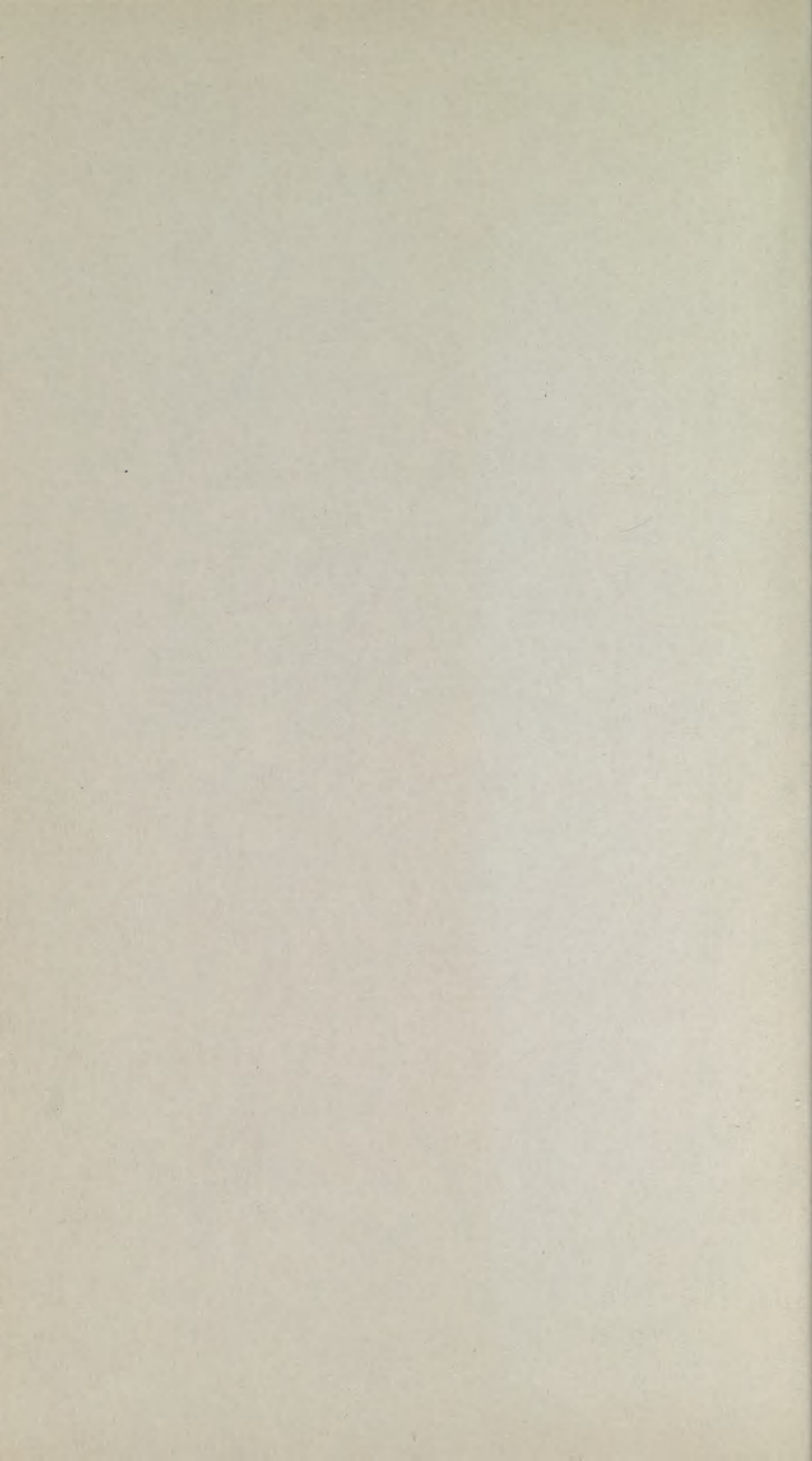
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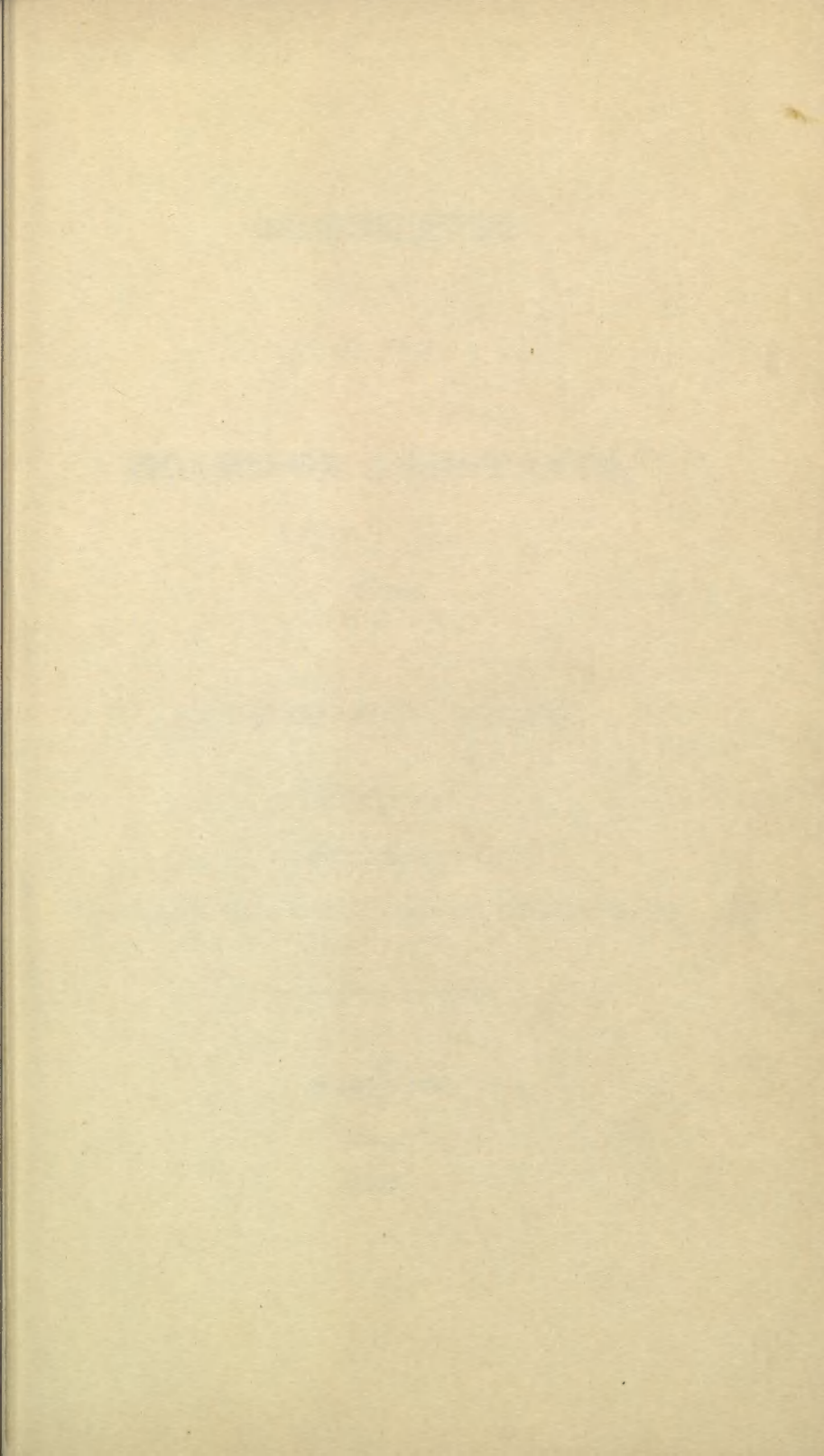
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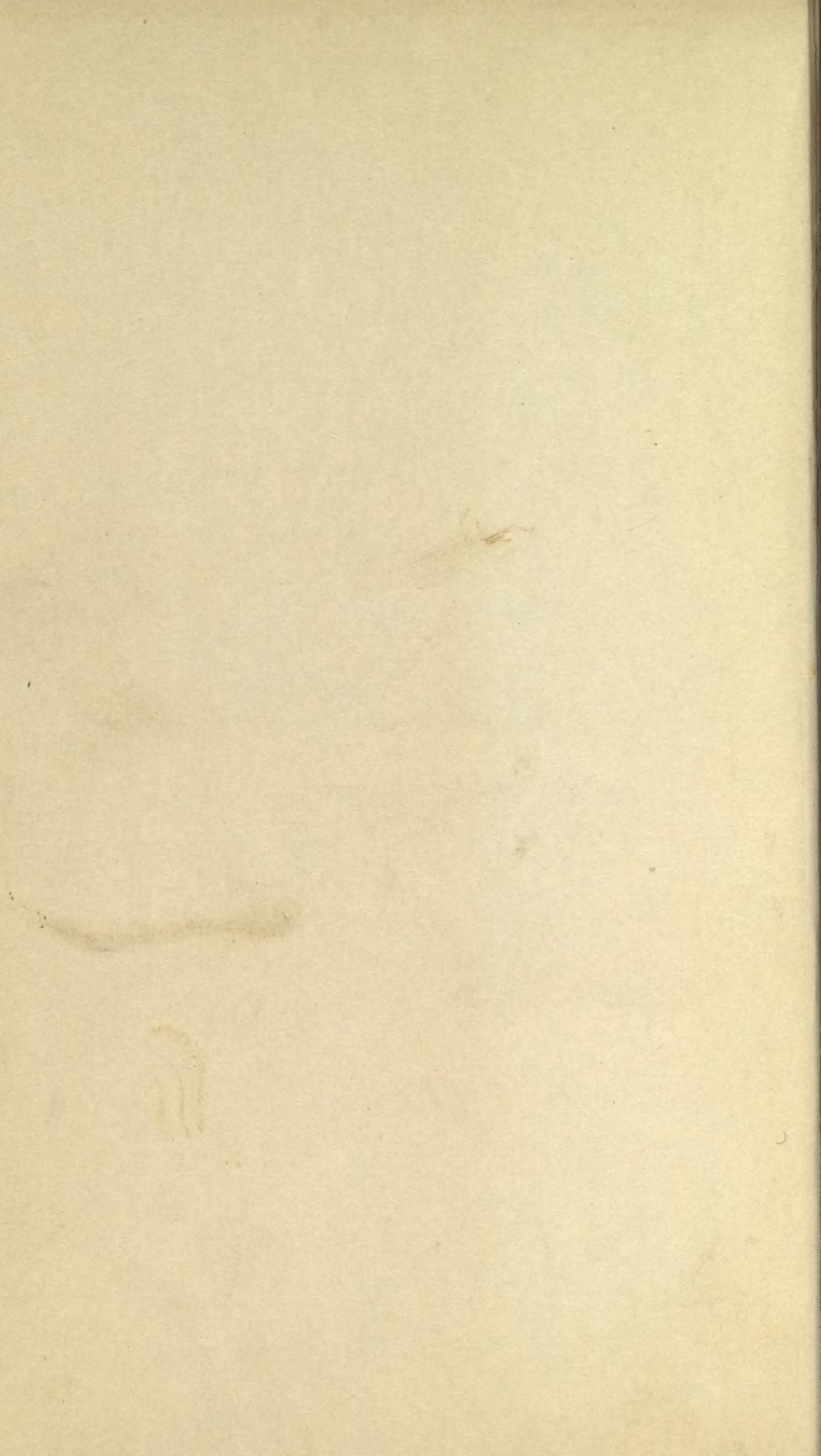












**DOCUMENTS**

OF THE

**BOARD OF ASSISTANTS,**

OF THE

**CITY OF NEW YORK.**

---

**VOLUME I,**

From No, 1 to 66, inclusive.—From the 19th May, 1834 to 12th May 1835.

---

**New-York.**

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1835.



DOCUMENTS

OF THE

BOARD OF ASSISTANTS,

OF THE

CITY OF NEW YORK.

VOLUME 2

From the 1st of January to the 31st of May 1831 to the 31st of May 1832.

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1834-35

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1831

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# BOARD OF ASSISTANTS.

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The following is a list of the names of the persons who have been  
admitted to the office of the Secretary of the Board of Education  
since the last meeting of the Board, and the date of their admission.  
The names are given in alphabetical order, and the date of admission  
is given in parentheses.

Name	Date of Admission
Mr. J. H. Smith	(1888)
Mr. W. H. Jones	(1889)
Mr. T. H. Brown	(1890)
Mr. R. H. White	(1891)
Mr. L. H. Green	(1892)
Mr. S. H. Black	(1893)
Mr. M. H. Gray	(1894)
Mr. N. H. Pink	(1895)
Mr. O. H. Blue	(1896)
Mr. P. H. Yellow	(1897)
Mr. Q. H. Purple	(1898)
Mr. R. H. Red	(1899)
Mr. S. H. Orange	(1900)
Mr. T. H. Green	(1901)
Mr. U. H. Blue	(1902)
Mr. V. H. Yellow	(1903)
Mr. W. H. Purple	(1904)
Mr. X. H. Red	(1905)
Mr. Y. H. Orange	(1906)
Mr. Z. H. Green	(1907)
Mr. A. H. Blue	(1908)
Mr. B. H. Yellow	(1909)
Mr. C. H. Purple	(1910)
Mr. D. H. Red	(1911)
Mr. E. H. Orange	(1912)
Mr. F. H. Green	(1913)
Mr. G. H. Blue	(1914)
Mr. H. H. Yellow	(1915)
Mr. I. H. Purple	(1916)
Mr. J. H. Red	(1917)
Mr. K. H. Orange	(1918)
Mr. L. H. Green	(1919)
Mr. M. H. Blue	(1920)
Mr. N. H. Yellow	(1921)
Mr. O. H. Purple	(1922)
Mr. P. H. Red	(1923)
Mr. Q. H. Orange	(1924)
Mr. R. H. Green	(1925)
Mr. S. H. Blue	(1926)
Mr. T. H. Yellow	(1927)
Mr. U. H. Purple	(1928)
Mr. V. H. Red	(1929)
Mr. W. H. Orange	(1930)
Mr. X. H. Green	(1931)
Mr. Y. H. Blue	(1932)
Mr. Z. H. Yellow	(1933)
Mr. A. H. Purple	(1934)
Mr. B. H. Red	(1935)
Mr. C. H. Orange	(1936)
Mr. D. H. Green	(1937)
Mr. E. H. Blue	(1938)
Mr. F. H. Yellow	(1939)
Mr. G. H. Purple	(1940)
Mr. H. H. Red	(1941)
Mr. I. H. Orange	(1942)
Mr. J. H. Green	(1943)
Mr. K. H. Blue	(1944)
Mr. L. H. Yellow	(1945)
Mr. M. H. Purple	(1946)
Mr. N. H. Red	(1947)
Mr. O. H. Orange	(1948)
Mr. P. H. Green	(1949)
Mr. Q. H. Blue	(1950)
Mr. R. H. Yellow	(1951)
Mr. S. H. Purple	(1952)
Mr. T. H. Red	(1953)
Mr. U. H. Orange	(1954)
Mr. V. H. Green	(1955)
Mr. W. H. Blue	(1956)
Mr. X. H. Yellow	(1957)
Mr. Y. H. Purple	(1958)
Mr. Z. H. Red	(1959)
Mr. A. H. Orange	(1960)
Mr. B. H. Green	(1961)
Mr. C. H. Blue	(1962)
Mr. D. H. Yellow	(1963)
Mr. E. H. Purple	(1964)
Mr. F. H. Red	(1965)
Mr. G. H. Orange	(1966)
Mr. H. H. Green	(1967)
Mr. I. H. Blue	(1968)
Mr. J. H. Yellow	(1969)
Mr. K. H. Purple	(1970)
Mr. L. H. Red	(1971)
Mr. M. H. Orange	(1972)
Mr. N. H. Green	(1973)
Mr. O. H. Blue	(1974)
Mr. P. H. Yellow	(1975)
Mr. Q. H. Purple	(1976)
Mr. R. H. Red	(1977)
Mr. S. H. Orange	(1978)
Mr. T. H. Green	(1979)
Mr. U. H. Blue	(1980)
Mr. V. H. Yellow	(1981)
Mr. W. H. Purple	(1982)
Mr. X. H. Red	(1983)
Mr. Y. H. Orange	(1984)
Mr. Z. H. Green	(1985)
Mr. A. H. Blue	(1986)
Mr. B. H. Yellow	(1987)
Mr. C. H. Purple	(1988)
Mr. D. H. Red	(1989)
Mr. E. H. Orange	(1990)
Mr. F. H. Green	(1991)
Mr. G. H. Blue	(1992)
Mr. H. H. Yellow	(1993)
Mr. I. H. Purple	(1994)
Mr. J. H. Red	(1995)
Mr. K. H. Orange	(1996)
Mr. L. H. Green	(1997)
Mr. M. H. Blue	(1998)
Mr. N. H. Yellow	(1999)
Mr. O. H. Purple	(2000)







**DOCUMENT NO. 1.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 19, 1834.**

*Report of Comptroller, on the Resolution of Mr. Suydam, relative to Officers of the Corporation, their Salaries, &c. and to Contracts, &c. Ordered to be printed.*

**GEORGE B. BUTLER.**

**ASSISTANT CLERK, P. D.**

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**RESOLVED,** That the Comptroller present to this board, at its next meeting, a list of all the officers created by the Common Council, to which a salary is affixed ; designating the amount of the annual compensation allowed in April, 1825, in April 1830, and at the present time

**RESOLVED,** That the Comptroller present to this board, a summary for all contracts made for account of the Common Council, which are not completed—stating the amount of the original sum—the amount paid, and the amount unpaid, and when due : also, the amount of the several sums of money borrowed by the Common Council—of whom—the rate of interest—for what account, &c

In compliance with the resolutions hereunto annexed, the Comptroller respectfully presents the list of officers as called for, statements respecting contracts in progress, as the same have been furnished to him by the departments respectively—and he reports the amount borrowed by the Common Council to be two hundred and forty thousand and seven hundred dollars, the whole from the Mechanics Bank, at the rate of six per cent per annum, taken up to meet the duly authorized demands on the city treasury, in anticipation of the annual revenues, and payable at the convenience of the Corporation.

Respectfully submitted, by

T. J. WATERS, *Comptroller.*

*New-York, May 19 1834.*

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*List of all the Officers created by the Common Council, to which a salary is affixed; designating the amount of the annual compensation allowed in April, 1825, in April, 1830, and at the present time, May 13th, 1834.*

	1825.	1830.	1834.
District Attorney,	\$2500	\$3000	\$3000
Clerk Court of Sessions	1500	2000	1750
Deputy do,			500
Crier of court,	200	200	300
Special Justices,	1600	1600	2000
Clerk of Police,	1250	1250	1250
Assistant do.	1000	800	1250

	1825.	1830.	1834.
Clerk of upper police,			1250
Assistant Justices,	\$1600	\$1600	1600
Clerk of ward courts,	750	750	850
Sup't of almshouse,	1250	1600	1600
Clerk to do	400	500	750
Resident Physician,	1500	1500	1500
Keeper of penitentiary,	800	1000	1000
Deputies,	450	500	500
Keeper of city prison,	1000	1000	1000
Deputies, 2, each	400	2, each 500	4, each 500
Physician,	300	300	500
Agent of the commissioners of almshouse & and bride- well,	800	800	800
Superintendent wharves & piers,		600	800
Superintend't mud machine,		16s. p day	700
Superintendent of streets,		1500	1500
Clerk do.			500
Superintend't of building,	1000	1200	1200
Chief Engineer,	500	800	1000
Water Purveyor,			750
Clerk to public yard,			500
Sup't hackney coaches,		800	800
Superintend't of stages,			750
Superintendent of carts,			500
Inspector of carts & sleds,			250
Sup't lamps & gas,	520	700	1000
Street Commissioner,	1600	2000	3000
Assistant do	1350	2000	2000
First clerk,		500	750
Second clerk,			500
Person furnishing lists of passengers,			100
Comptroller,	1600	1800	2500
Deputy,			1500
Collector of city revenue,	1000	1200	1500
City Treasurer,	400	500	500
Clerk Common Council,	2000	2000	2000

	1825.	1830.	1834.
Clerk board of Aldermen preparing min. for pub- lication,			\$ 150
Mayor's clerk,		\$ 500	1000
Assistant to Clerk Com- mon Council,			1250
Clerk in office do.			500
Clerk board of Assistants,			1400
Assistant clerk do.			250
First Marshal,	\$ 900	900	900
High Constable,	250	500	500
Sergeant-at-arms Board of Aldermen,			250
Do. board of Assistants,			500
Keeper of City Hall,	800	1000	400
Deputy,			1000
Public Administrator, fees,		1250	1250
City Inspector,	800	800	1000
Assistant do.			1000
Regulator of public clocks,	200	200	200
Salary. Sweeping. Salary. Sweeping. Salary. Sweeping.			
Clerks of the markets, viz:			
Fulton,	\$500 11s p d	\$500 12s p d	\$500 16s p d
Washington,	500 7	500 12	500 12
Catherine,	365 8	365 8	365 8
Franklin,	365 2	365 2	365 7 50
Centre,		365 \$18	418 18
Clinton,	} 365 \$450 }	365 25	418 25
Greenwich,			} 365 8
Jefferson,			} 8
Essex,	} 365 5 50 }	} 15	} 15
Grand street,		365 } 7 50	365 } 7 50
Gouverneur,		5	5
Tompkins,			365 7 50
Manhattan,		365	365
Corporation Attorney, fees,		fees,	fees,
Council to Corporation, fees,		fees,	fees,
Ballast Master, fees,		fees,	fees,
Collector of arrears, com. 15 p c com. 15 p c com. 15 per ct.			
Assistant to city inspector, (except Sundays)	14s per day	18s per day	18s p d.

	1825.	1830.	1834.
Assistants to the keeper of the City Hall,	8s per day	10s per day	10s per d.
Keeper Potter's field,	10	18	18
of Battery,	8	10	
of Park,	8	10	
of Washington square,		6	12
of Battery, Park, and Duane st. square,			12
Gardeners,			8
Assistant keeper Battery,			8
do. do. Park,			8
Keeper of public reservior,		(and dwelling,) 8	
Engineer at do			14
Porter at Record Hall,		(except Sundays) 8	
Messenger in Mayor's office,		do. 8	
Street Inspectors,	9	12	16
Sunday officers,	12	12	12
Captains of watch,	12	14	15
Assistant do.	9	11	12
Watchmen,	6	7	8
[Number of men,	384	512	580]
Lamp Lighters,			

*List of Officers appointed by the Commissioners of the Almshouse.*

	1825	1830	1834
Chaplain,	\$500	\$500	\$500
Stewards two, one at hospital,	400	500	500
Assistant physician,			500
Foreman of shoe shop,	525	550	550
Apothecary, Bellevue,			200
Baker,	312	312	312
Farmer at Long Island,			730
Do. Bellevue,		300	300
Matron, Almshouse,	200	200	200
Do. L. I. nursery,		150	150
Nurse of lunatics, ( <i>pauper</i> )		200	50
Blacksmith,	12s per day	12s per day	12s p.d.
Foreman carpenter shop,	14	14	12

*At the Old Almshouse.*

	1825.	1830.	1834.
Clerk to commissioners,	\$385 50	\$550	\$550
Visitor,	555	18s p day	18s p d.
Driver of the bridewell stage,			12
do. of hearse,	456	12	12

*At Penitentiary, Blackwell's Island.*

Shoe maker and keeper,			\$400
Mason do.		\$400	\$400
Blacksmith do.		400	400
Carpenter do.			400
Quarrier do.	2, each	400	2, each 400
Keepers,	4, each	300	6, each 300
Guards,	9, each	300	4, each 300
Cockswain,			150
Guard and keeper,		400	
Teemster,		180	
Watchmen, eight,		7s p night.	8, 7s p night.



# STREET COMMISSIONER'S DEPARTMENT.

## A STATEMENT OF THE UNFINISHED CONTRACTS IN THE STREET COMMISSIONER'S OFFICE.

Date, 1833.	Description of work to be done under contract.	Amount of Contracts.	Appropriations.	Amount paid on Account.	Remarks.
February 18 June 12.	Building Bulkhead and filling water lots on Weststreet and Tenth Avenue, from centre of Great Kill Road to centre of Twelfth-st.		May 1, 1833, \$39,620 58.	21,400 00	{ Contract for the Bulkhead is \$20 75 per foot running measure, and cannot be measured until completed. { Contract for filling estimated at 354,388 loads, at 5 4. 100 cts. \$19,137 32.
October 16.	Building Pier foot of Franklin-street, N. R.	4,342 50	General appropriations.	3,256 86	{ Supposed to be 1,400 feet long: contract \$21 55 per foot running measure. Amount cannot be ascertained till completed. { Being 1-3 amount of contract which is by law payable by the Corporation.
" 26. 1834.	Building Bulkhead from 23d to 28th street, E. R.	2,733 9	General appropriations.	9,320 00	
February 5.	Building Bulkhead across Old Slip. [The privilege to fill earth in Old Slip has been sold by the Corporation \$2,275, Building Bulkhead across Coffee House Slip. - - [The privilege to fill earth in Coffee House has been sold by the Corporation for \$1,500.	3,553 50	General appropriations.		{ \$1,134 16 2-3, being 1-3 of the amount of the contract which is by law payable by Corporation. { Contract for blasting rock, 87 1-2 cts. per cubic yd. Do. for removing earth, 12 1-2 cts do Contract 100 dollars for each culvert.
March 21.	Building Pier foot of Waite-street, N. R. - - -	13,700 00	General appropriations.	3,425 00	
March 39.	Blasting rocks and removing earth in the Eighth Avenue, between 34th and 59th sts - -		\$7000 00	2,000 00	{ Contract for blasting rock, 87 1-2 cts. per cubic yd. Do. for removing earth, 12 1-2 cts do Contract 100 dollars for each culvert.
April 22.	Building culverts in Canal-street, from Hudson River to Centre-street. - - - - -		Dec. 3, 1833, \$4,00,300, 00	1,500 00	

Numerous Contract for Regulating and Paving streets are in progress; but as they are to be paid by assessment, and do not affect the financial concerns of the Corporation, they are not deemed to come within the spirit of the resolution.

Street Commissioner's Office, May, 17, 1834.

EDWARD DOUGHTY, Asst. Street Commissioner.

The Superintendent of Building herewith presents his estimates of the expenses of the different departments that come under his immediate charge for the political year of the present Common Council, viz. from May, 1834, to May 1835.

For Repairs and supplies, estimated,	\$19,500
Alms-house and Bridewell, for labor only,	650
Lamps, including contracts for gas posts,	
19,500,	20,500
Lands and Places,	1,200
Street Expenses,	900
Wells and Pumps,	3,500
Markets for repairs only,	2,000
County Contingencies,	400

The following contracts are not completed, viz :

With Mark Richards, of Philadelphia, for five hundred cast iron gas lamp posts, valued at about \$6,500, which will be due him on the twentieth of July next, if there is no default on his part in completing said contract.

With the West Point Foundry Association in this city, for five hundred gas lamp posts, or one thousand, at the pleasure of the Committee on Lamps and Gas, valued at about \$13,000, and will be due about the first of September next.

With Henry Kent of this city, for post and chains for enclosing grass plots in Park : contract made by the piece for posts, and the yard for the chains : to meet the expense of this work, \$3,400 were appropriated on the seventh January last ; since that Part of the Park in the rear and to the eastward of the Record Hall, has been thrown open, and the Committee on Lands and Places ordered it laid out in plots, and enclosed in the same manner as the others were ; this will cost an additional expense of about \$500 more than the \$3,400 named above, and which is still to be appropriated. On this contract, \$1,000 have been paid ; the remainder will be paid as the post and chains are furnished, and is to be completed (by the contract) on the first of June next.

With Randolph Brant for an additional country market at Washington Market, cost \$3,325 ; upon this he has been paid \$1,500 ; the balance, say \$1,825, when the market is completed and accepted, which by the terms of the contract, is not to exceed the first of June next.

With Randolph Brant for a market house on West-street, between Christopher and Amos-streets, cost, \$3,475 ; upon which no payment has been made : this work is to be completed on the first of July next.

JACOB P. ROOME,  
*Superintend't Building.*

TO TALMAN J. WATERS, Esq.  
Comptroller.

*New-York, May 17, 1834.*

The Chief Engineer estimates the expenses of the Fire Department, for the coming year of the present Common Council, at about \$15,000.

He has entered into contracts for the following work for his department, which is to be finished by the fifteenth of July next, viz :—

An engine house for No. 19, in Elizabeth street, near Grand, cost	\$480
Do. do. No. 27, Watt-street, near Canal,	480
Do. do. No. 16, Eighth Avenue and 21st-street,	480
	<hr/>
	\$1,440

No payments are to be made until these houses are completed and accepted.

JAMES GULICK,  
*Chief Engineer.*

TO TALMAN J. WATERS, Esq.  
Comptroller.

*New-York, May 16, 1834.*

The Water Purveyor estimates the expenses of his department, for the year of the present Common Council, at about \$16,000

The contract not completed, is the one made with Mark Richards of Philadelphia, on the sixteenth of May last, and which will require about \$5,900 (as the pipes may prove) to finish it.

THOMAS D. HOWE,  
*Water Purveyor.*

To TALMAN J. WATERS, Esq.  
Comptroller.

*New-York, May 16, 1834.*

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TALMAN J. WATERS, Esq.

SIR,—The contracts made and not completed are with Samuel Judd, for four thousand and forty-four gallons of sperm oil, at sixty-two cents, \$2,506 28

And with Sumner and Naylor, for three hundred common sheet lanterns, at one dollar and twenty-five cents,

375 00  
\$2,881 28

Respectfully,

G. SNETHEN,  
*Super't Lamps.*

*New-York, May 19, 1834.*





**DOCUMENT NO. 2.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 19, 1834.**

*Report of the Comptroller, with an Estimate of the probable Receipts and Expenditures of the present financial year, and an ordinance making appropriations under the various heads of city expenditure.*

**GEORGE B. BUTLER, Asst. Clerk, p. t.**

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Following the directions of the ordinances of the Common Council, relating to the subject, the Comptroller respectfully presents herewith, an estimate of the probable receipts and disbursements, from the 2d Tuesday of May, 1834, to the 2d Tuesday of May, 1835 ; together with the draft of an ordinance for making corresponding appropriations.

As the operation of the provisions of the 20th section of Amendments to the City Charter, results almost in the designation of the calendar year, as the period for which the public accounts are to be made up and published,—that period was adopted as the fiscal year of the Common Council, until the last year, when it was changed to the political year, from May to May ;—and as the change from the first to the last named term, includes the necessity of making up the public accounts twice in each year, and for unequal periods, the Comptroller brings the subject to the notice of the Common Council, and submit for their consideration whether any adequate benefit can be derived from the

change, and whether its tendency will not be to obscure rather than simplify the public accounts.

Respectfully submitted by

T. J. WATERS, Comptroller.

New-York, May 19, 1834.

*Estimate of the probable Receipts, from the second Tuesday of May, 1834, to the second Tuesday of May, 1835.*

Charges on Arrears of Taxes and Assessments, \$	1,200 00
Cleaning Streets, . . . . .	35,000 00
Commutation of Alien Passengers, . . . . .	29,000 00
Courts, . . . . .	3,000 00
Docks and Slips, . . . . .	3,000 00
Fencing Lots, . . . . .	1,000 00
Fire Department, . . . . .	1,200 00
Interest Account, . . . . .	5,000 00
Intestate Estates, . . . . .	1,500 00
Justices' Courts, . . . . .	10,500 00
Lamps and Gas, . . . . .	350 00
Liens on Lots, . . . . .	5,000 00
Mayoralty Fees, . . . . .	1,700 00
Penalties, . . . . .	1,000 00
Police, . . . . .	5,500 00
Rents, . . . . .	100,000 00
Streets, . . . . .	230,000 00
Tavern and Excise Licenses, . . . . .	29,000 00
Taxes, . . . . .	Balance of 1833, \$195,000 00
Do. . . . .	do. 1834, 750,000 00
	<hr/> 945,000 00
Do. Arrears of former years, . . . . .	4,000 00
Vendue Sales, . . . . .	10,000 00
Wells and Pumps, . . . . .	2,500 00
Bonds Payable,—Amount of Loans to be made on Bonds, . . . . .	47,807 56
	<hr/> <hr/> \$1,472,257 56



*Estimate of the probable Disbursements, from the second Tuesday of May, 1834, to the second Tuesday of May, 1835.*

Almshouse, Bridewell and Penitentiary, . . .	\$130,000 00
Board of Health, . . . . .	3,000 00
Bonds Payable, . . . . .	240,700 00
Charges on Arrears of Taxes and Assessments, . . .	1,200 00
Charities, . . . . .	5,000 00
Cleaning Streets, . . . . .	80,000 00
Commutation of Alien Passengers, . . . . .	100 00
Coroner's Fees and Expenses, . . . . .	3,700 00
County Contingencies, . . . . .	26,000 00
Courts, . . . . .	29,000 00
Docks and Slips, . . . . .	100,000 00
Elections, . . . . .	4,500 00
Fire Department, . . . . .	15,000 00
Fencing Lots, . . . . .	500 00
House of Refuge, . . . . .	9,000 00
Interest Account, . . . . .	45,000 00
Intestate Estates, . . . . .	1,250 00
Justices' Courts, . . . . .	13,500 00
Lamps and Gas, . . . . .	90,000 00
Lands and Places, . . . . .	10,000 00
Levying Tax, . . . . .	8,000 00
Liens on Lots, . . . . .	2,000 00
Markets, . . . . .	16,000 00
Mayoralty Fees, . . . . .	150 00
Penalties, . . . . .	1,000 00
Police, . . . . .	18,500 00
Printing and Stationery, . . . . .	7,500 00
Public Reservoir and Pipes, . . . . .	16,000 00
Public Schools, . . . . .	86,657 56
Repairs and Supplies, . . . . .	20,000 00
Roads, . . . . .	25,000 00
Salaries, . . . . .	46,000 00
Streets, . . . . .	250,000 00
Street Expenses, . . . . .	40,000 00
Tavern and Excise Licenses, . . . . .	2,000 00
Watch, . . . . .	120,000 00
Wells and Pumps, . . . . .	6,000 00

\$1,472,257 56

# A LAW

## *Making Appropriations for Expenses of the Financial Year of this present Common Council.*

The Mayor, Aldermen and Commonalty of the city of New-York, in Common Council convened, do ordain as follows :—

§ 1. To defray the expenses of the city and county of New-York, for the financial year of the present Common Council, which commenced on the second Tuesday in May, 1834, and closes on the second Tuesday in May, 1835, the following sums be, and the same are hereby appropriated, namely :—

For Almshouse, Bridewell and Penitentiary,	\$130,000 00
Board of Health,	3,000 00
Charities,	5,000 00
Charges on Arrears of Taxes and Assessments,	1,200 00
Cleaning Streets,	80,000 00
Commutation of Alien Passengers,	100 00
Coroner's Fees and expenses,	3,700 00
County Contingencies,	26,000 00
Courts,	29,000 00
Docks and Slips,	100,000 00
Elections,	4,500 00
Fire department,	15,000 00
Fencing Lots,	500 00
House of Refuge,	9,000 00
Interest Account,	45,000 00
Intestate Estates,	1,250 00
Justices' Courts,	13,500 00
Lamps and Gas,	90,000 00
Lands and Places,	10,000 00
Levying Tax,	8,000 00
Liens on Lots,	2,000 00
Markets,	16,000 00
Mayoralty Fees,	150 00
Carried forward,	\$592,900 00

Brought forward,					\$592,900 00
Penalties,	.	.	.	.	1,000 00
Police,	.	.	.	.	18,500 00
Printing and Stationery,	.	.	.	.	7,500 00
Public Reservoir and Pipes,	.	.	.	.	16,000 00
Public Schools,	.	.	.	.	86,657 56
Repairs and Supplies,	.	.	.	.	20,000 00
Roads,	.	.	.	.	25,000 00
Salaries,	.	.	.	.	46,000 00
Streets,	.	.	.	.	250,000 00
Street Expenses,	.	.	.	.	40,000 00
Tavern and Excise Licenses,	.	.	.	.	2,000 00
Watch,	.	.	.	.	120,000 00
Wells and pumps,	.	.	.	.	6,000 00
Bonds Payable,	.	.	.	.	240,700 00

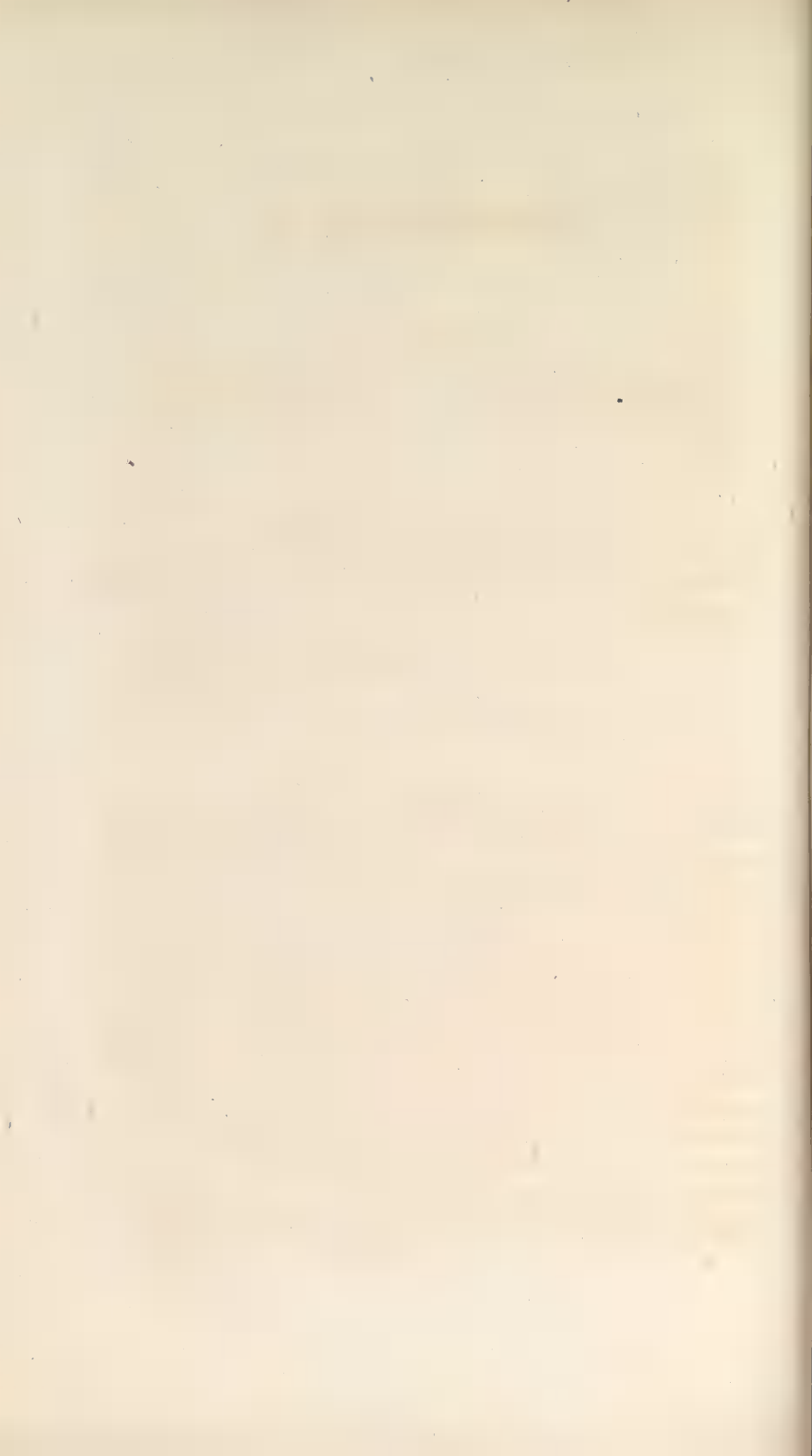
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\$1,472,257 56

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**DOCUMENT NO. 3.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 19, 1834.**

*Report of the Comptroller, on resolution of Assistant Alderman Allen, with the statements called for. Ordered to be printed.*

**GEORGE B. BUTLER.**

*Asst. Clerk, pro. tem.*

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*Resolved,* That the Comptroller prepare and lay before this board, on the 12th day of May next, if it shall then be in session, a statement of his cash account for the fiscal year of this Common Council, commencing on the second Tuesday in May, 1833, and ending on the second Tuesday in May, 1834, or as near that day as practicable, with an exhibition of the expenditures under each head, compared with the appropriations made by ordinance for the same.

*Resolved,* That the Comptroller be and he is hereby instructed to lay before the next Common Council, at as early a day as practicable, after their organization, an ordinance making the necessary appropriations for the expense of the next fiscal year; together with the estimate directed by title second, section 7, of "A Law to create a department of finance, and prescribing the duties of the officers thereof."

**Offered by S. ALLEN.**

Pursuant to the directions of the annexed resolution, the Comptroller respectfully presents herewith, the cash account from the second Tuesday (14th) May, 1833, to the second Tuesday (13th) of May, 1834—a statement of the appropriations, made by ordinances and resolutions; and also of the payments made during the same period, under the several heads of account therein mentioned.

In presenting these documents, the Comptroller begs leave to remark, that previous to the second Tuesday of May 1833, in addition to several special appropriations, sundry general appropriations had been made, calculated to be sufficient until about the first of August, under the authority of which, the payments were regularly continued. That the ordinance making appropriations for the whole period, from May, 1833 to May, 1834, was not completed until the 9th day of August, 1833, and that whatever may have been the views of the committees in relation to the subject, it is certain that no ordinance was passed, affecting the validity or continuance of those previous appropriations: the result is, that in the statement now called for, the payments in sundry cases appear to have exceeded the appropriations; which is not in accordance with the facts of the case: as in no one instance has the aggregate of payments exceeded the aggregate of appropriations—on the contrary, in some of those very cases, the appropriations were very far from being absorbed, as the books of his office will show. This seeming discrepancy arises out of the fact, that the statement of payments is confined to one period, while that of the appropriations would necessarily extend to another.

The Comptroller deems this explanation necessary, lest he should appear by his own showing, to have violated the law under which he acts, by exceeding its authority.

Respectfully submitted, by

T. J. WATERS, *Comptroller.*

*New-York, May 19, 1834.*





<i>Dr.</i>	<i>Cash.</i>	<i>(May 14th, 1833,</i>
To Balance from 12th May, 1833,		\$ 8,167 01
Bonds Payable, - - -		226,500 00
Commutation of Alien Passengers, -		29,388 00
Cleaning Streets, - - -		35,432 65
Courts, - - -		3,317 93
Charges on Arrears of Taxes and Assessments,		725 54
Docks and Slips, - - -		3,808 63
Fire Department, - - -		1,263 76
Fencing Lots, - - -		1,726 38
Interest, - - -		12,346 75
Justices' Courts, - - -		10,531 98
Liens on Lots, - - -		3,234 80
Mayorality Fees, - - -		2,363 75
Police, - - -		5,474 89
Penalties, - - -		964 24
Rents,—Dock and Slip Rent,	\$49,920 84	
Ground, - - -	21,882 23	
Ferry, - - -	9,492 01	
Water Lot, - - -	10,523 10	
House, - - -	2,707 50	
Common Land,	1,536 44	
		<hr/> 96,062 12
Repairs, - - -		70 12
Streets, - - -		373,934 75
Street Expenses, - - -		101 71
Lamps, - - -		677 53
Taxes,—Arrears of former years, \$	6,742 65	
For 1831, - - -	998 20	
1832, - - -	96,800 26	
1833, - - -	741,700 00	
" Commutation,	156 85	
		<hr/> 846,397 00
		<hr/>
Carried over,	\$1,662,490 50	

to May 13th, 1834)	Contra,	Cr.
By Almshouse, Bridewell and Penitentiary,	\$120,509 20	
Bonds Payable, - - - - -	301,800 00	
Board of Health, - - - - -	7,355 51	
Buildings on Farms on Long Island, - - - - -	4,858 00	
Buildings on Blackwell's Island, - - - - -	6,000 00	
Courts, - - - - -	28,069 94	
County Contingencies, - - - - -	30,627 08	
Cleaning Streets, - - - - -	76,045 23	
Charities, - - - - -	2,500 00	
Coroner's Fees, - - - - -	3,463 65	
Charges on Arrears of Taxes and Assessments,	493 50	
Commutation of Alien Passengers, - - - - -	100 00	
Docks and Slips, - - - - -	95,936 22	
Elections, - - - - -	3,889 66	
Fire Department, - - - - -	15,116 65	
Fencing Lots, - - - - -	124 72	
Ground Rent, - - - - -	1,727 50	
House of Detention, - - - - -	1,265 31	
House of Refuge, - - - - -	4,000 00	
Interest, - - - - -	55,801 51	
Justices' Courts, - - - - -	13,105 00	
Intestate Estates, - - - - -	1,250 00	
Iron Railing on Chatham-street, - - - - -	1,423 16	
Lamps, - - - - -	70,347 39	
Levy Tax, - - - - -	7,318 00	
Liens on Lots, - - - - -	1,940 11	
Lottery Office Licenses, - - - - -	625 00	
Lands and Places, - - - - -	5,000 63	
Mayoralty Fees, - - - - -	45 50	
Markets, - - - - -	\$12,066 21	
Essex Market, - - - - -	59 75	
	<hr/>	
	12,125 06	
Old Almshouse, - - - - -	83 72	
	<hr/>	
Carried over,	\$889,737 84	

Dr.	Cash.	(May 14th, 1833,
	Amount brought over,	\$1,662,490 50
Tavern and Excise Licenses	-	28,026 00
Vendue Sales,	-	7,500 00
Wells and Pumps,	-	2,308 23
Water Pipes,	-	487 24
		<hr/>
		\$1,700,812 02
		<hr/>

Dr. 691,91

Dr. 25

Dr. 767,000

to May 13th, 1834.)

Contra.

Cr.

Amount brought over, \$889,737 84

By Public Schools,	-	-	86,464 62
Public Reservoir,	-	-	5,147 25
Police,	-	-	16,789 19
Printing and Stationary,	-	-	7,100 73
Penalties,	-	-	1,188 90
Record Hall,	-	-	11,217 57
Repairs and Supplies,	-	-	19,305 84
Rotunda,	-	-	401 04
Roads, generally,		\$13,329 19	
8th Avenue, Working,		264 25	
3d Avenue, Macadamizing,		196 27	
Ditto. Completing,		18,003 14	
10th Avenue, Working,		175 00	
			<hr/> 31,967 85
Salaries,	-	-	44,855 14
Streets,	-	-	362,182 41
Street Expenses,	-	-	38,448 76
Tavern and Excise Licenses,	-	-	1,202 00
Watch,	-	-	109,341 52
Wells and Pumps,	-	-	4,447 74
Water Pipes,	-	-	44,804 51
Water Commissioners,	-	-	4,095 11
Balance to new account, 13th May, 1834,			38,903 69

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\$1,700,812 02

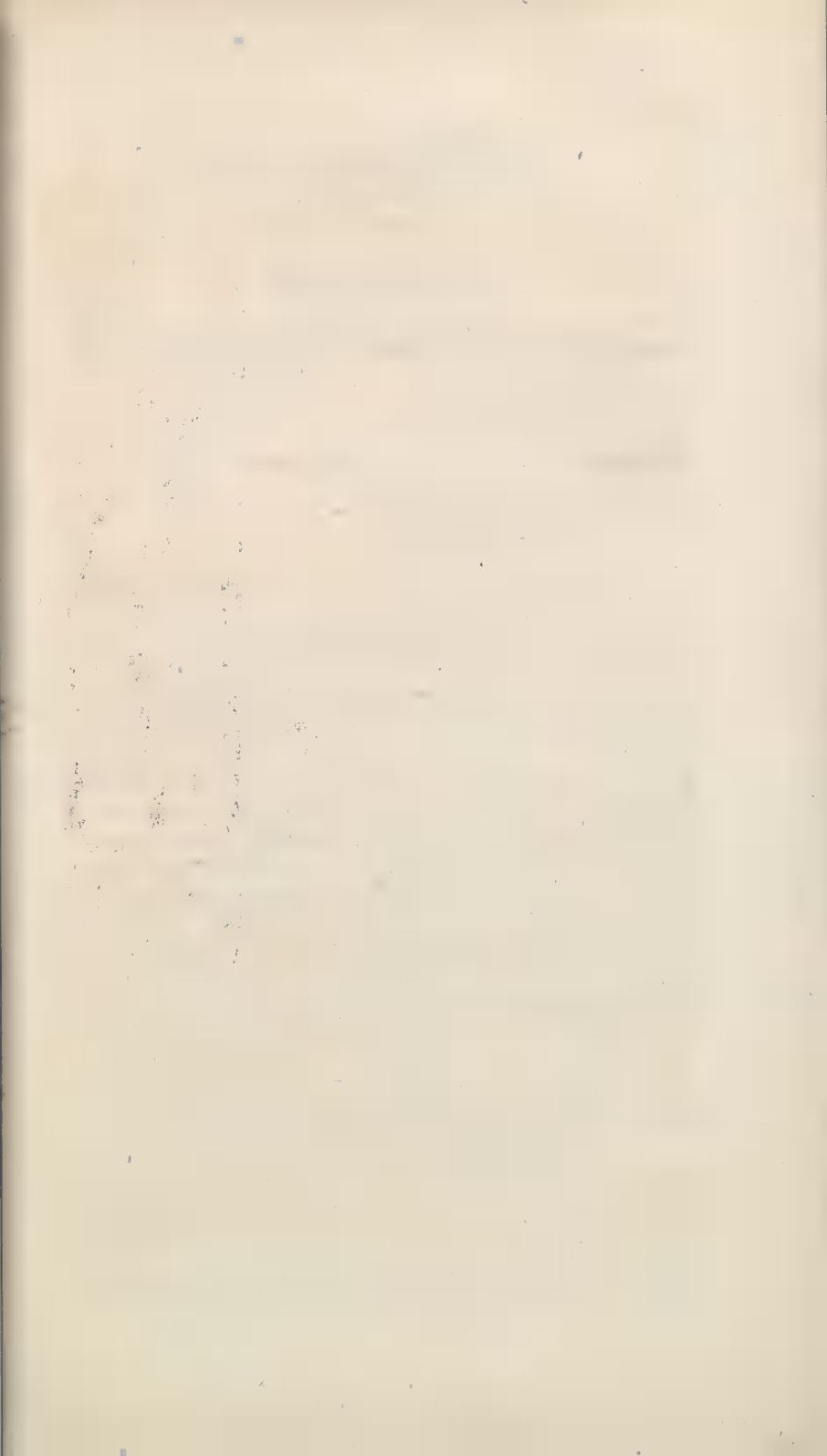
*Statement of Appropriations made by Ordinances and Resolutions, from the second Tuesday (14th) of May, 1833, to the second Tuesday (13) of May, 1834. And also, of the Payments made during the same period, under the several heads of account herein mentioned, as follows, viz:*

HEADS OF ACCOUNT.		APPROPRIATIONS. PAYMENTS.	
Almshouse, Bridewell and Penitentiary,	July 22d, \$ 4,858 00	\$ 4,858 00	
	August 9th, 146,000 00	126,509 20	
Bd. of Health, May 23d	\$1,285 58		
	June 11th, 1,350 00		
	July 30th, 1,350 00		
	Augt. 9th, 6,000 00		
		9,985 58	7,355 51
Bonds Payable, do	- -	316,000 00	301,800 00
Charges on Arrears of Taxes and Assessments,	August 9th,	1,000 00	493 50
Charities, - -	do	5,000 00	2,500 00
Cleaning Streets, -	do	80,000 00	76,045 23
Commutation Alien Passengers, do		100 00	100 00
Coroner's fees & expenses, Nov. 4th		3,300 00	3,463 65
County Contingencies, viz:—			
May 17th,	\$1,184 29		
July 2d,	2,000 00		
July 4th,	100 00		
July 22d,	800 00		
August 9th,	26,000 00		
March 6th, 1834,	350 00		
		30,434 29	30,627 08
Courts,	August 9th,	27,000 00	28,069 94
Docks & Slips, May 17th, \$ 2,200			
	Augt. 9th, 80,000		
		82,200 00	95,936 22
Elections,	Augt. 9th,	4,500 00	3,889 66
Fire Department, July 2d, \$ 550			
	Augt. 9th, 15,000		
	Nov. 27th, 1,000		
		16,550 00	15,116 65
Carried over, \$726.927 87		\$696,764 64	

HEADS OF ACCOUNT.		APPROPRIATIONS.	PAYMENTS.
Amount brought over,		\$726,927 87	\$696,764 64
House of Refuge,	Augt. 9th,	9,000 00	4,000 00
Interest Account,	do. .	55,000 00	55,801 51
Intestate Estates,	do. .	1,250 00	1,250 00
Justices' Courts,	do. .	13,500 00	13,105 00
Lamps and Gas,	do. .	86,000 00	70,347 39
Lands & Places,	Augt. 9th, \$3,500		
	April 8th, 1834, 600		
		4,100 00	5,000 63
Levying Tax,	Augt. 9th,	7,000 00	7,318 00
Liens on Lots,	. . .		1,940 11
Lottery Office Licenses,	Augt. 9th,	3,000 00	625 00
Markets,	Augt. 9th, \$10,000		10,625 96
	March 25th, 1834, 3,325		1,500 00
Do.	. . . 3,475		
		16,800 00	
Mayoralty Fees,	Augt. 9th,	150 00	45 50
Old Almshouse,	do. .	1,000 00	83 72
Old Debtors' Jail,	do. .	10,000 00	11,217 57
Penalties,—Special Resolution for			
each Payment,	. . .		1,188 90
Police,	Augt. 9th,	16,500 00	16,789 19
Printing and Stationery,	do. .	7,000 00	7,100 73
Public Schools,	do. .	86,657 56	86,464 62
Public Reservoir & Pipes,	July 30th,	600 00	600 00
	Augt. 9th,	58,000 00	49,351 76
Repairs and Supplies,	do. .	18,000 00	19,305 84
Roads,	do. .	25,000 00	31,967 85
	March 25, 1834,	7,000 00	
Salaries,	Augt. 9th, 1833,	40,000 00	44,855 14
Streets,	do. .	250,000 00	362,182 41
Street Expenses,	July 27th, \$ 400		
	July 30th, 600		
	Augt. 9th, 25,000		
	Dec. 3d. 4,350		
	Do. 2,600		
		32,950 00	38,448 76
Tavern & Excise Licenses,	Augt. 9,	1,600 00	1,202 00
Carried over,		\$1,477,035 42	\$1,539,082 23

HEADS OF ACCOUNT.		APPROPRIATIONS.	PAYMENTS.
Amount brought over,		\$1,477,035 43	\$1,539,082 23
Watch, . . . . .	August 9th,	106,000 00	109,341 52
Wells and Pumps,	do. . . . .	6,000 00	4,447 74
Water Commissioners,	June 5th,	5,000 00	4,095 11
Iron railing on Chatham-st.	Aug. 15,	1,555 00	1,423 16
House of Detention,	do. . . . .	1,600 00	1,265 31
Fencing Lots, . . . . .			124 72
Rotunda,—Payments by Special			
Resolution, . . . . .			401 04
Ground Rent refunded,	do . . . . .		1,727 50
Lunatic Asylum on Blackwell's			
Island, April 15th, 1834,		3,000 00	
Fences around Nurseries on the			
L. I. Farms, March 25th,		750 00	
		<u>\$1,600,940 43</u>	<u>\$1,661,908 33</u>







**DOCUMENT NO. 4.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 19, 1834.**

*Annual Report of the Superintendent of the Almshouse.*

**GEORGE B. BUTLER,**

ASSISTANT CLERK, P. T.

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**ANNUAL REPORT**

Of the Superintendent of the Almshouse, Bridewell, and Penitentiary of the city of New-York, showing the number of Paupers who have been admitted into the Almshouse, from the first day of May, 1833, (including those at the time in the house) to the first day of May, 1834 ; and the number discharged from, and that died in the house during the same period ; and likewise, the number of Paupers now in the house, designating their sex and places of birth ; the number of Prisoners and Vagrants in the Bridewell and Penitentiary ; and the number of Patients and Maniacs in the Almshouse hospital : with an account of donations distributed to out door poor, by the Superintendent and Commissioners, during the time aforesaid.

Paupers in and admitted into the Almshouse, from the first of May, 1833, to the first of May, 1834,	4,926
Paupers discharged during same period, 2,614 ; eloped, 111 ; died, 503 ; total disharged, eloped and died,        -        -        -        -        -	3,233

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Number (including hospital patients and maniacs, and children at nurse) remaining May 1st, 1833, .	1,693
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## NUMBER OF MEN, WOMEN, BOYS AND GIRLS.

Men,	-	-	-	-	-	-	-	548
Women,	-	-	-	-	-	-	-	567
Boys,	-	-	-	-	-	-	-	377
Girls,	-	-	-	-	-	-	-	201
Total,	-	-	-	-	-	-	-	1,698

## PLACES OF NATIVITY.

City of New-York,	-	-	-	-	703
State of New-York,	-	-	-	-	106
United States,	-	-	-	-	120
England,	-	-	-	-	146
Ireland,	-	-	-	-	466
Scotland,	-	-	-	-	35
Germany,	-	-	-	-	47
France, -	-	-	-	-	11
Sweeden,	-	-	-	-	4
West Indies,	-	-	-	-	10
Prussia, -	-	-	-	-	1
Italy, -	-	-	-	-	2
South America,	-	-	-	-	3
Africa, -	-	-	-	-	3
Unknown,	-	-	-	-	36
Total,	-	-	-	-	1,693

Number of Prisoners and Vagrants in Bridewell, the first of May, 1834, Men, 72, Women, 5—total	77
Number of Prisoners and Vagrants (including 25 Female State Convicts) in the Penitentiary, first of May, 1834, Men, 286, Women, 188—total	474
Number of Patients in Almshouse hospital, the first of May, 1834, Men, 58, Women, 59—total,	117
Number of Maniacs in Almshouse hospital, the first of May, 1834, Men, 57, Women, 58—total,	115

Cash distributed to out-door poor, during the last twelve months, - - - -	\$ 2,969 01
Wood laid in and distributed to same, 4,358 loads, including carting and piling, - -	8,922 56
Potatoes, laid in and distributed to same, 5,199 bushels, including carting and carrying in,	1,280 91
Total,	<u>\$13,172 48</u>

Respectfully,

JAMESON COX,

*Superintendent.*

*Bellevue, May 1st, 1834.*

The Superintendent of the Almshouse respectfully communicates to the Common Council, (in addition to his annual report.) that the following named articles have been manufactured by the paupers for the Almshouse and Penitentiary, during the past year, to wit, from May first, 1833, to May first, 1834.

FOR ALMSHOUSE.

Number of yards of woollen cloth manufactured the past year, - - - - -	3,244
Do. do. cotton and woollen, (twilled and colored,) -	4,450
Do. do. cotton shirting, - - - - -	18,900
Do. do. rag carpet, - - - - -	35
Do. do. woollen warp on hand, - - - - -	444
Do. pounds cotton cord manufactured past year,	15
Do. do. stocking yarn, - - - - -	979
Do. pairs of shoes made, mens, 595, women's, 736, children's, 1,282, - - - - -	2,613
Do. do shoes repaired past year, - - - - -	1,909
Do. of men's and boy's woollen suits made past year,	903

Number of men's and boy's shirts,	-	-	-	3,165
Do. women's and girls' garments,	-	-	-	4,328
Do. small children's do.	-	-	-	1,873
Do. men's jackets, 208, and trowsers, 210, repaired,				418
Do. pairs of stockings knit past year,	-	-	-	1,060
Do. articles of bedding made past year,	-	-	-	3,024

## FOR PENITENTIARY.—LABOR DONE BY PAUPERS.

Number of yards of woollen cloth made for Peniten-							
tiary past year,	-	-	-	-	-	-	1,759
Do. woollen jackets (180) and trowsers (773) cut							
at Almshouse,	-	-	-	-	-	-	953

There have been raised on the land within the enclosure at Bellevue, ten thousand heads of cabbage, and other vegetables for the consumption of the establishment ; also, sufficient broom corn to make one thousand brooms ; and on the common lands belonging to the Corporation, between the Bloomingdale Road and Third Avenue, one hundred tons of hay, five thousand bushels of potatoes, one thousand bushels of turnips ; and two hundred rods of stone wall have been built : also five hundred bushels of oats have been raised.

An average of twelve barrels of flour is made into bread by the paupers daily. Six hundred and eight coffins were made the past year, with all other carpenter's and blacksmith's work, by the paupers.

There is a hired man to oversee the shoe shop, carpenter's shop, blacksmith's shop and bake house.

Eighteen hundred barrels of soft soap were made by the paupers the past year, from which the Almshouse Hospital, Penitentiary at Bellevue and Blackwell's Island, Bridewell, and Old Almshouse are supplied.

Respectfully submitted.

JAMESON COX,  
*Superintendent.*

*Bellevue, May 1st, 1834.*

**DOCUMENT NO. 5.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**JUNE 2, 1834.**

*Report of the Comptroller, on the Resolution calling for the appropriations for the Almshouse, &c. from the first day of May, 1824, to the present time. Ordered to be printed and filed.*

**R. FISHER, CLERK.**

**RESOLVED,** That the Comptroller be directed to report to this board, the amount of monies which have been annually appropriated to the ~~use~~ of the Commissioners of the Almshouse, from the first of May, 1824, to the present time.

In compliance with the annexed resolution, the Comptroller respectfully reports to the Board of Assistant Aldermen,—That the expenditures for the Almshouse, Bridewell and Penitentiary establishments from the year 1824, to the present time, have been ~~as~~ follows, viz :—

For the year 1824,	-	-	-	-	\$ 80,104 00
1825,	-	-	-	-	81,546 67
1826,	-	-	-	-	89,672 23
1827,	-	-	-	-	103,423 21
1828,	-	-	-	-	96,243 21
1829,	-	-	-	-	124,986 99
1830,	-	-	-	-	125,021 66
1831,	-	-	-	-	134,819 24
1832,	-	-	-	-	139,484 45
1833,	-	-	-	-	124,852 96

Respectfully submitted by

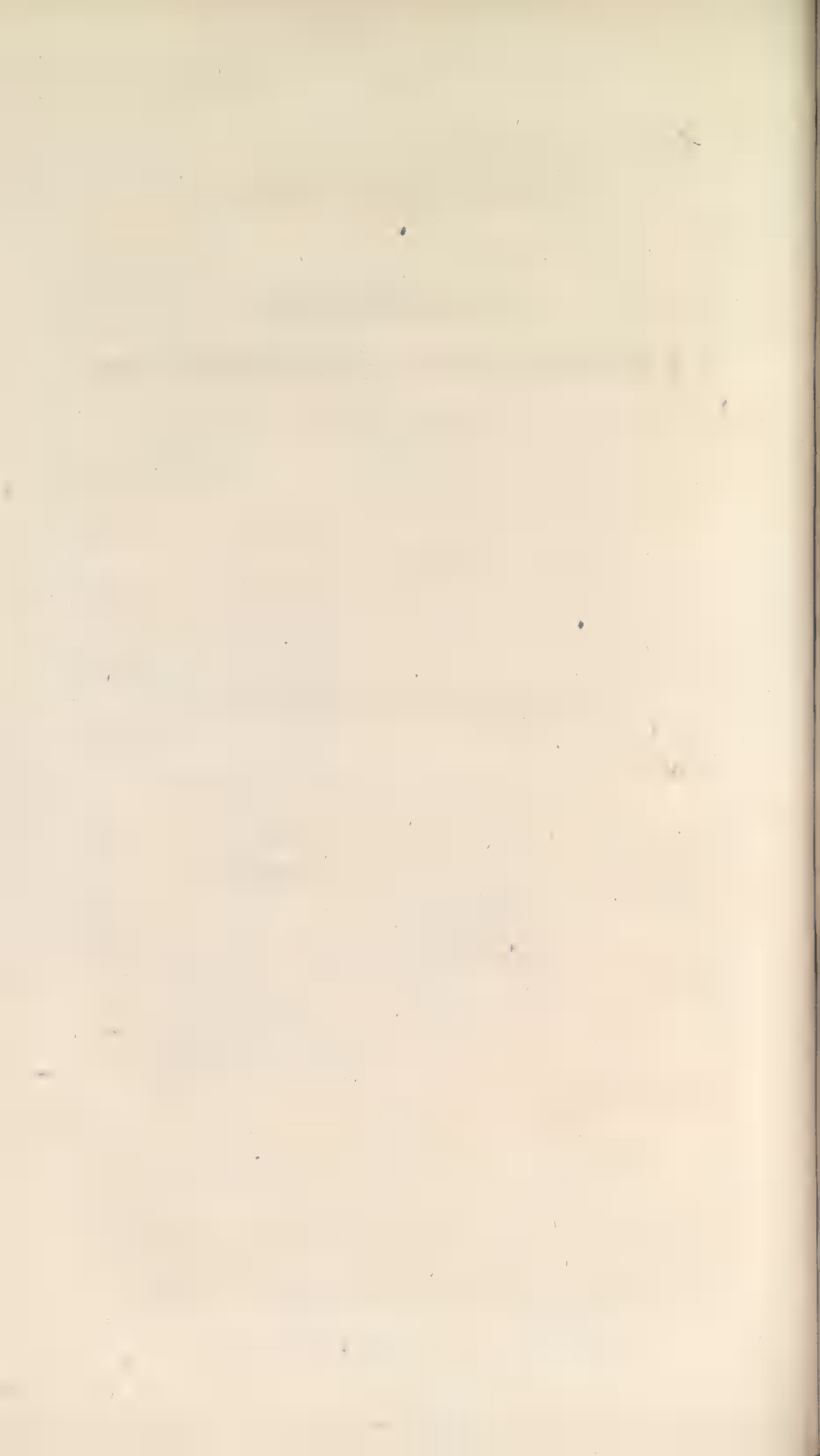
**T. J. WATERS, Comptroller.**

New-York, June 2, 1834.









**DOCUMENT NO. 6,**

**BOARD OF  
ASSISTANT ALDERMEN,**

**JUNE 2, 1834.**

*The following Petition was presented and referred to a Select Committee, consisting of Messrs. Holden, Purdy and Talmadge.*

**R. FISHER, CLERK.**

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*To the Honorable the Common Council.*

The undersigned, inhabitants and electors of the Twelfth Ward, respectfully represent :—

1. That at the late charter election in said ward, the inspectors were all of them at one time absent from the ballot boxes ; and that the ballots of the voters were exposed by being suffered to lie loose in the box during such absence.

2. That one of the inspectors was in the habit of leaving the polls, and personally soliciting votes for a favorite candidate.

3. That ~~one~~ of the inspectors was frequently engaged about the polls in making disturbances, and encouraging riotous conduct : and that he was in the habit also of unfolding the votes of the electors in such a manner as to exhibit the contents to the challengers of one of the contending parties, contrary to the statute in this case made and provided.

4. That one of the inspectors, or a majority of them, directed the doors of the room in which the canvass took place, to be closed and fastened ; and that the canvass was

thus secretly and illegally made, and that large numbers of the electors were refused admittance, notwithstanding the statute provides that the canvass shall be made public.

5. That in the canvass of the ticket for Alderman, the votes were counted by the inspectors, or a majority of them, individually, and were not re-counted or examined by the others. That gross and frequent mistakes were made in this way; and that those mistakes frequently were uncorrected: that in addition to what is herein set forth, various other illegalities and irregularities were committed, which your petitioners pray may be considered, and that a new election may be ordered in the Twelfth Ward.

*Dated in New-York, May 28th, 1834.*

GARRET CRONKRIGHT,	PATRICK RYAN,
MICHAEL COX,	GEORGE DIXON,
ROBERT RYAN,	JAMES ENRIGHT,
B. R. PITTFICALD,	JOHN COTTER,
JOHN MARTIN,	GEORGE A. DWIGHT,
CHARLES BERTRAM,	PHILLIP TROY,
JOHN WALSH,	T. R. SELMES,
SAMUEL M. COX,	BENJAMIN PETTIT,
RICHARD MILLER,	ROB'T M. COX,
WM. B. MOTT,	THO'S BRYAN.
JAMES DAVISON,	





**DOCUMENT NO. 7.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**JUNE 30, 1834.**

*The following Annual Message of his Honor the Mayor,  
was received and ordered to be printed.*

**R. FISHER, Clerk.**

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*Mayor's Office, New-York, June 30, 1834.*

**GENTLEMEN OF THE COMMON COUNCIL,**

By the provisions of the amended charter of this city, it is made the duty of the Mayor,

1st. "To communicate to the Common Council, at least once a year, and oftener if he shall deem it expedient, a general statement of the situation and condition of the city, in relation to its government, finances and improvements."

2d. "To recommend to the adoption of the Common Council, all such measures connected with the police, security, health, cleanliness, and ornament of the city, and the improvement of its government and finances, as he shall deem expedient."

I am fully aware that the brief period which has elapsed since my induction into office, and my consequent inexperience in the legislation of the city, must render a communication from me, in compliance with the foregoing provisions, exceedingly imperfect. Should any suggestions I may make, however, be deemed worthy of your consideration, I rely on your intelligence and public spirit so to dispose of them as shall best promote the great and manifold interests committed to your charge.



The city government under the present charter. was framed with deliberate care, by men chosen for their intelligence, prudence, and public zeal ; and experience has thus far attested the value of their work. It has occurred to me, however, that some of the departments are susceptible of improvement, and I have consequently suggested certain changes in that part of this communication, drawn up in compliance with the second provision prescribing the duties of the mayoralty.

By a comparison of the official documents, it will be perceived that an improvement has taken place during the last twelve months in the financial concerns of the city. The funded unredeemed debt amounts to the sum of \$418,500 00, the amount due to the Mechanics' Bank, on bonds for temporary loans, is \$179,500 00, making the total amount of the city debt \$598,000 00.

This statement exhibits a reduction of \$173,500 since the corresponding period of last year. The value of the real estate held by the Corporation, on the property of the city, may be safely estimated at five millions of dollars. With the exception of that portion employed for the public service, nearly the whole of this property is productive, and an annual improvement in its value is confidently expected.

A statement has been prepared by the Comptroller, and published by order of your predecessors, exhibiting in detail, the receipts and expenditures of the city government during the past year. I refer you to that document as embracing information of great importance to your deliberations. I would invite your attention particularly to the large amount of money which passes annually through the fiscal department of this city. The sum disbursed from the Treasury, including payments on account of the public debt, the expenses of government, the support of the poor, assessments, and various other purposes, amounted during the year ending on the 31st of December last, to \$1,444,988<sup>92</sup>/<sub>100</sub>. I refer to this feature of the Comptroller's report, as the most effectual means of impressing on your attention, the magnitude of the pecuniary interests connected with the administration

of your public duties, and the importance of guarding, by great caution in making appropriations, and by a system of rigid accountability, every avenue to the City Treasury.

With regard to the improvements of the city, embracing under a general head, its order, beauty and cleanliness, the opening and regulating of streets, and the repair and erection of public buildings, I find much to approve and little to censure. The legislation on these various subjects seems to have been enlightened and prudent, and to have resulted in promoting the comforts, convenience, and general welfare of our fellow citizens.

The system adopted to relieve the necessities of the poor is well designed for that object. Great care should be exercised in dispensing the public bounty, that while provision is made for the truly indigent and decrepid, an unreasonable increase of pauperism is avoided. The multifarious concerns of this establishment appear to have been skilfully conducted, and a due regard to the public interests observed. The experiment of providing the means of agricultural employment for a portion of our dependant population, has in a great degree been successful. A farm of about two hundred acres, on Long Island, is now under cultivation, and affords the means of employment and sustenance, among others, for a large number of juvenile male paupers; some of the arrangements are susceptible of improvement, and I commend this branch of the public trust to your especial care and attention.

The benefits of the common school system of the state have been experienced in the gradual improvement of the moral and intellectual character of the people. The wisdom and philanthropy of our most enlightened statesmen and legislators, have been exercised in perfecting this system, with the view of extending its advantages equally with the increase of population. It is cause of congratulation that this has been, in a great degree accomplished, and that our great object of mental cultivation is successfully managed and promises enduring benefits.

A recent examination of some of the public schools in

this city, has strengthened ~~me~~ in the belief that great good must result from a liberal and judicious apportionment of the public bounty in support of this establishment. The amount now appropriated from the City Treasury, together with the proportion annually received from the common school fund of the state, is believed to be sufficient to afford the means of instruction to every child in this city. The opening of primary schools, for the benefit of the more youthful and less instructed scholars, has been a decided improvement ~~on~~ the former practice : of these there are now eighteen in successful operation. By this modification of the original plan of teaching, the more advanced in years and instruction, avoid many apparent disadvantages. The Trustees are zealous and intelligent, and I have great confidence that their efforts will eventually succeed in extending the inestimable benefits of education to every member of this community. To enable them the better to accomplish this desirable end, they ask parents and public guardians to present children for instruction.

On the subject of the public health, my inquiries have elicited gratifying information. The sanitary regulations established by the Board of Health, are strictly enforced, and great care is taken to detect and punish every infringement of their provisions. The consequence of this strict observance of the laws, is shown in the general health of our city. To the inhabitants of a commercial emporium, there is peculiar cause of congratulation in this fact. Of late years, the course of mercantile business has made the Summer season one of great importance, to the trading community. The month of July may be considered the period of the commencement of the business season with the Southern and Western dealers. I rejoice that thus far the city has been exempted from every inroad of pestilence, and I indulge the hope that our citizens will continue to enjoy this evidence of the favor of Providence.

With this general reference to the "situation and condition of the city, in relation to its government, finances and improvements," I proceed to make such suggestions and

recommendations ~~as~~ appear to ~~me~~ to be called for by ~~a~~ due regard to the public good.

The Police Department occupies a prominent position in the economy of all well regulated governments. In ~~a~~ country like ours, which is peculiarly ~~a~~ government of the people, great importance should be attached to this branch of our domestic policy. It should be a leading principle in our system to endeavour to eradicate criminal propensities, and thus to render less necessary ~~a~~ dependance on penal laws. Morality and benevolence appeal to us for the prevention of crime—the sterner principle of justice alone demands the punishment of the criminal.

I have long believed that in the Police regulations of this city, there was too little regard evinced for the prevention of crime. This impression has been strengthened by a recent conversation with an intelligent and respectable citizen, and at my request his sentiments on that subject have been reduced to writing, and I shall embody them in the suggestions I ~~am~~ about to make. As at present administered, the energies of the Police are applied (and certainly with much success) to the detection and arrest of criminals. The desire of all good citizens is rather to prevent than to punish crime; hence, in ~~a~~ great city the Police should be preventive as well as punitory. I can only account for the slow progress yet made in the prevention of crime in this city, from the fact that the most common and ordinary mode of prevention, *that of strictly observing your neighbors' conduct*, is contrary to the genius and spirit of our citizens. I respect this trait in our national character; nevertheless I feel it to be my duty to suggest to your consideration, the propriety of employing proper persons to observe the conduct of suspected individuals, and to keep ~~a~~ vigilant watch over places where crime is likely to be engendered. Information thus obtained, would be useful in thwarting unlawful combinations, ~~a~~ knowledge of the existence of such ~~a~~ system might prove beneficial, by arresting the career of those who have not yet been initiated in criminal acts. It is generally admitted that certain parts of the city, and the



frequenters of particular houses, may be justly subjected to suspicion: to those, the attention of the Police should be directed. To consider the propriety of the suggestion I have made, and to present the necessary details if it should be adopted, ~~will be~~ appropriately within the sphere of your duties, and I submit the matter with confidence to your judgment.

Before I leave the subject of the Police, I recommend to your consideration the propriety of adopting efficient ~~measures~~ for ensuring a greater degree of quiet during the night season. A very large portion of our fellow citizens are industriously employed during the day, and the interruption of their repose at night is consequently not merely an annoyance, but a serious evil. It is proper that means should be taken to prevent all unnecessary noises, and to punish all wanton interruption of the quiet of the city. I submit the subject wholly to your discretion.

The frequency of fires, and consequent destruction of property, present strong claims to your attention. An ample supply of water furnishes the great means of security against fire. I suggest to your consideration, the propriety of establishing another reservoir at some illegible point, which your better information will enable you to designate. The one ~~on~~ Thirteenth-street, near the Third avenue, has been found of great utility; and though the supply of water is not as copious as could be desired, yet I have little doubt that the expense of its erection has been ~~more~~ than repaid to our citizens, in the preservation of their property. In a subsequent part of this communication, I shall ask your attention to the project of supplying the city with water for all public and domestic ~~uses~~. It may be said, that if the ~~more~~ enlarged plan referred to, should be ultimately carried into effect, the erection of ~~an~~ additional reservoir would be a superfluous burden on the public treasury. Past experience, however, justifies the opinion, that the city will derive a full remuneration for the expense of erecting works and laying pipes, in the additional security furnished against fires, before the ~~more~~ extensive works contemplated could be completed.

I solicit your attention to a subject which I consider of very great importance to the rights of individuals, and to the character of the city government: it is one which affords more cause of censure than any other which has received my examination. In the detention of persons charged with crime, their health, morals and civil rights seem to be greatly neglected. The means pursued for answering the ends of justice, appear to my mind wholly at variance with that fundamental maxim of law, by which all men are assumed to be innocent, until they are proved guilty. Our practice seems founded on an opposite principle. A recent examination of two of the houses of detention, has convinced me that a radical change in their management is necessary. I found in one apartment about forty, and in another twenty-eight persons, charged with offences of different kinds and degrees, from venial errors of disobedience, to crimes of atrocious character. It is evident to me that this practice is inconsistent with the ends of justice, and destructive of all hopes of a diminution of crime, or of the melioration of the character of those classes most likely to be suspected of offences against the law. Surely there is neither propriety nor justice in placing a juvenile and venial offender in direct and contaminating association with the hardened transgressor: still less excuse is there for subjecting the innocent and unfortunate, to loathsome and corrupting intercourse with the guilty and depraved. I feel assured that you will agree with me in opinion on this subject, and I respectfully recommend the early adoption of measures to provide more suitable and better arranged places of detention for accused persons before trial.

This subject has at different times engaged the attention of the Common Council, but without resulting in the desired measures. I would particularly refer you to a document published by the board of Assistant Aldermen, on the thirteenth of February, 1832—number eighteen; and to a subsequent document from the same body, bearing date twenty-second of July, 1833—number sixteen.

In the reports contained in these publications, the pernicious tendency of the course to which I have referred, is

ably discussed ; and the details they present afford much useful information.

I have long been of opinion, that the building at the west end of the City-Hall should either be removed entirely, or thoroughly remodelled and improved. It is wholly unfit for the purposes to which it is applied ; and in many respects is offensive to the good tastes of our citizens. Its situation is prominent and central : and the nuisances to which its present condition and uses give rise are, therefore, the more conspicuous. The public voice, I do not doubt, would approve its removal, or an entire change, both of the exterior and interior of this edifice. I earnestly recommend this subject to your early attention.

Several suggestions have been made in regard to a suitable site for a principal House of Detention, but the selection properly appertains to your duties. Strong reasons doubtless exist in favor of a location contiguous to the place of trial. I am anxious, however, so far as the expression of my opinions may have influence, to preserve, and if possible, to extend, the open grounds in the vicinity of the City-Hall. Our public squares are few and small. In disencumbering as much of that conspicuous ornament of our city, the Park, as the public service will admit, we shall essentially contribute to its cleanliness and beauty ; and I feel assured that we shall thereby add to the health, and gratify the feelings of our fellow-citizens.

The last subject which I shall submit to your consideration is ~~one~~ that has long attracted a considerable share of the public attention. It is the project for bringing to the city, from the neighboring country, an ample supply of pure and wholesome water. The advantages which would result from a successful prosecution of the work, have been ably portrayed in the annual communications of my predecessors, and ~~are~~ to have been properly appreciated. In accordance with the declared wishes of the city authorities a law was enacted by the legislature, on the second of May last, providing for the appointment of Commissioners "to examine and consider all matters relating to this subject."

The Commissioners are required to report to the Common Council, on or before the first day of January, 1836, "a full statement and description of the plan they shall adopt; an estimate of the expense thereof; together with an estimate of the probable revenue to accrue to the city, upon the completion of the work." Further provision is made, that if the plans adopted by the commissioners, are approved by the Common Council, the matter shall be submitted for the decision of the people, at the next annual charter election thereafter.

Considerations which affect the security, health, cleanliness, and ornament of the city, and pecuniary interests of great magnitude, are intimately connected with the questions of introducing water in quantity corresponding with the wants of the inhabitants. In a measure of so much consequence, it is proper that every facility should be afforded to enable the electors to decide understandingly. Their award is to be final, and should be uninfluenced, except by a just appreciation of its importance; it would not become me therefore to prejudge the question.

I recommend that adequate appropriations be made to enable the commissioners to complete their surveys and estimates; and that every necessary accommodation be afforded them in the prosecution of their labors.

The individuals entrusted with this responsible duty by the Governor and Senate, are distinguished for their general information and intimate acquaintance with the important subject confided to them. I feel assured that great zeal and ability will be brought to the investigation; and that their report, when submitted, will embody all the information necessary to ensure an enlightened decision.

C. W. LAWRENCE.









**DOCUMENT NO. 8.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 14, 1834.**

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The Special Committee on the subject of enclosing and regulating Union Place, made the following Report, which was laid on the table and ordered to be printed for the use of the Members.

**R. FISHER, Clerk.**

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The Special Committee of the Board of Assistant Aldermen, consisting of the Standing Committee on Streets, and the Standing Committee on Wharves, Lands and Places of that Board, to whom together with the Counsel of the Corporation have been referred the Memorial and Petitions of sundry persons owning lands which have been assessed for the opening of Union Place, praying that the Corporation will proceed to regulate and enclose the ~~same~~ as a public square, respectfully beg leave

**HEREBY TO REPORT,**

That the public Place or Square, now established by law on the plan or map of the City of New-York, called "Union Place" comprehends and consists of a certain rectangular parallelogram of land, containing between ten and eleven

acres in the twelfth ward of this City, extending in length from north to south 877 feet, to wit : from the north line of Seventeenth Street to the south line of Fourteenth Street, and in breadth extending westerly 502 feet and 9 inches from the east line of the Fourth Avenue to a line drawn parallel thereto.

In behalf of the Memorialists, it has been contended before the Committee, that all the lands embraced within the exterior boundaries of the parallelogram above described, have been laid out by the Legislature on the Map of this City as a public Square :—that by virtue of legal proceedings regularly prosecuted and perfected, the Square has been duly opened: and that the Corporation of this City have thereby become legally seised in fee simple, of all the lands embraced within the parallelogram, in trust, to appropriate and forever maintain the same as a public Square, for the common use, benefit and enjoyment of the public:—that it therefore results and the Memorialists contend,

1. That the Corporation have *the legal right* to regulate, improve and enclose Union Place in like manner with the other public squares of the City :—

- 2 That it is their *duty* so to do :—

3. That *the public interest* will thereby be promoted.

In opposition to these claims sundry remonstrants have appeared before the Committee, who contend,

1. That the Corporation have not the legal right to regulate the lands in question as a public Square, and allege as a reason, that there yet remains subsisting a public, open highway called "*the Bloomingdale Road,*" running across and covering part of those lands :—that the part so covered still retains unimpaired and unaltered its distinctive character as a legal highway, and in law forms no part of the Square, and consequently that the Corporation have no legal authority to use, improve or regulate it as such.

2. That even if that portion of the land in question, has ceased, in point of law, to exist as a public highway, and become an integral part of the Square, the public welfare

nevertheless demands, that so much of the square as has been heretofore occupied by the highway, ought hereafter to be kept open and maintained only as a carriage-way, and ought not to be in the least degree diverted, enclosed, or in any way obstructed.

Upon each of these heads of inquiry thus presented to the consideration of the Committee, they have bestowed a careful examination. In so doing they have found it necessary to trace somewhat minutely, the origin and history of the proceedings by which the legal title to all the lands embraced within the limits of Union Place, has been vested in the public, and they now present the result of their inquiries for the consideration of the Board.

It is well known that from the earliest history of the city, a public highway called "the Bowery Road," has crossed the surface of the lands in question. Whether the land covered by that highway belonged originally to the proprietors of the land adjacent, and was by them devoted to the public use, or whether it belonged to, or was purchased by the Corporation, or how otherwise it was acquired by the public, cannot now be ascertained. It is quite certain, however, that by reason of long and uninterrupted possession, "the Bowery Road" had become one of the public highways of this city.

In the year 1806, the Common Council deeming it advisable to connect this antient road with "Broadway," (which then terminated at Art-street,) obtained a part of the land necessary for that purpose by deeds of cession to the Corporation of the city from the individual proprietors to whom it then belonged, and acquired the residue by means of certain legal proceedings authorized by the statutes then in force. By virtue thereof, the public highway known as "Broadway," was accordingly extended during that year—first, from Art-street northerly, (continuing in its present course,) to Tenth street—and then diverging obliquely to the left, it was further extended northerly in the direction of the present Bloomingdale Road, until it united with the Bowery Road at a point a little south of the present line of Seventeenth-street, forming

by that junction what has been usually denominated "*the Fork of the Roads.*"

It will of course be perceived, that this proceeding did not alter, or in any way affect the pre-existing legal character of that part of the Bowery, frequently called the Bloomingdale Road, north of this point of junction. That portion of the road has remained from that time hitherto, as it then existed, one of the antient highways of the city, extending out, (as is well known) for several miles in a winding, irregular course.

The Committee have ascertained, that the portions of land thus conveyed to the Corporation by the above mentioned deeds of cession, embraced all that part of the highway thus extended under the name of "Broadway," which is contained within the limits of the above mentioned parallelogram:—and consequently the legal title to all that portion of the parallelogram, thereby became vested in the Corporation in fee simple, and every species of legal estate or interest therein, previously belonging to any individual proprietors, was totally extinguished.

It appears however, that the Trustees of the Sailors' Snug Harbour, and some other proprietors of lands not lying within the present limits of Union Place, but necessary to be taken in order thus to extend Broadway north from Art-street, were either unable or unwilling to cede the same to the Corporation,—and it therefore became necessary to prosecute compulsory legal proceedings, in order to divest the legal rights of those proprietors. It also appears, that in order to reimburse the damages awarded under those proceedings, an assessment was laid on a considerable portion of the lands in that vicinity, and some small portion of the amount so assessed, (but how much the Committee have not been able to ascertain,) was paid by sundry proprietors of lands lying on the Bloomingdale-road north of Seventeenth-st. It is not alleged or pretended, that the proprietors of those lands north of Seventeenth-st., previously owned, or had any legal interest in that part of the lands covered by the highway in question lying south of Seventeenth-street; and the Committee do not



perceive, that those proprietors, by the mere fact of paying a portion of the assessment for thus extending the highway over lands which they had not previously owned, acquired any legal title to those lands superior to that of the public at large. The lands when thus acquired for the purpose of the highway, became the property solely of the public, and belonged equally and in common to each and every individual in the community; and although the landowners in the vicinity more immediately benefited by the extension of the highway, may have been taxed or assessed to defray a portion of the expense, they did not thereby acquire any right, privilege, or legal interest in the highway superior to that of any and every other inhabitant of the city,—and certainly did not become vested with any legal title in the land itself covered by the highway, paramount to that of the Corporation, who held the land in fee simple, by deeds of direct conveyance from the individual proprietors to whom it had previously belonged. The conclusion is, therefore, inevitable, that the whole legal title and estate, in and to so much of the land formerly called “Broadway,” and lately called “the Bloomingdale-Road,” as falls within the parallelogram in question, in the year 1806 became vested solely in the public, unincumbered by any individual claim or right whatsoever.

The legal inquiry is then reduced to a single question:—Has the right of the public to that part of the highway thus falling within the limits of Union Place, been in any and what way altered, or divested?

It is well known, that on the 3d of April, 1807, the celebrated statute was passed by the Legislature of this State, for the purpose of providing a general plan for laying out streets and public squares over all that part of the island of New-York, north of Art-street. The passage of that law was induced by urgent considerations of public necessity, in order not only to prescribe a permanent and uniform plan of the public streets and squares to be laid out north of Art-street, but also to discontinue and abolish the numerous irregular, crooked, and disconnected roads, both public and private, by



which that part of the city had become disfigured. In order effectually to accomplish these objects, and to secure the symmetry and regularity of the plan, it became necessary to entrust and commit the property and rights, not only of individuals, but of the public, to the sole discretion of the Commissioners designated by that law. The statute accordingly grants to them "exclusive power to lay out streets, roads, "and public squares, of such width, extent, and direction, as "to them shall seem most conducive to the public good." It directs them to return plans and surveys, with a map of the same, which it declares "shall be final and conclusive, as well "in respect to the said Mayor, Aldermen, and Commonalty, "as in respect to the owners and occupants of lands, tenements, and hereditaments within the boundaries aforesaid, "and in respect to all other persons whomsoever."

It cannot reasonably be doubted, but that the Commissioners, in the exercise of the transcendant and unlimited powers committed to them by this statute, might lawfully designate for the purposes of streets or public squares, any lands whatsoever on the island of New-York, north of Art street. From their judgment there was no appeal. Their plan when completed, was to become immediately and absolutely final and obligatory, not only upon individuals but upon the public. If in devising that plan, it should become expedient in their discretion, to lay out any street, avenue, or public square, over lands already occupied, either by the highways of the public, or the private roads of individual proprietors, their judgment was to be "conclusive," and the public were bound to submit equally with the individual proprietors. In truth, it appears to have been the special aim and policy of the legislature, that the power of the Commissioners should be made superior and paramount to that of the City Corporation, and that in devising their plan, they should be entirely unclogged and unfettered by any pre-existing roads, streets, or highways—so as to secure to the present and future inhabitants of the city, the full benefits of one connected, united, systematic scheme of improvement. The statute, therefore, subjected

all the lands on the island of New-York to the uncontrolled authority of the Commissioners: and it manifestly intended that the plan of streets, avenues and public squares, to be by them devised, should be substituted in the place of all other and former plans or parts of plans, whether originating with the public authorities, or prompted by the caprice or interest of individuals—for it not only empowered the Commissioners to lay out streets and public squares, “of such ample width “as they may deem sufficient,” but it expressly enacted that “no square or plot of ground, made by the intersection of “any streets to be laid out by the said Commissioners, shall “ever, after the streets around the same shall be opened, be “or remain divided by *any public or open lane, alley, street, or “thoroughfare.”*

It is, therefore, fully evident, that the Commissioners in devising the plan of the city, were legally authorized, if in their discretion they should see fit, to lay out any of the streets, avenues, or public squares forming part of their plan in, over, or upon any street, road, or highway, public or private, then existing north of Art street, and consequently over the whole, or any part of the particular highway now under consideration.

The inquiry is then brought to this point: Did the Commissioners in fact include that highway within any, and which of the streets or public squares constituting part of their plan?

The recorded evidence of the proceedings of the Commissioners is wholly comprised in the Report and Map, which they returned and filed in the year 1811—and it is only by referring to that Report and Map, that the question above stated can be decided. By examining the original Report now deposited in the office of the Street Commissioner, the Committee have ascertained, that the Commissioners declare that “one of the first inquiries made by them was, whether “they should confine themselves to rectilinear and rectangular streets,” after which they proceed to state that “they “could not but bear in mind, that straight-sided and right-

“angled houses are cheapest to build, and most convenient to live in,” and that “the effect of these plain and simple reflections was decisive.” They therefore determined “that the work should in general be rectangular.”

The Report then proceeds to describe and designate all the avenues, streets, and public squares and places laid out by the plan. “The term *Avenue*,” says the Report, “is applied to all those streets which run in a northerly direction parallel to each other; they are 100 feet wide, and numbered from 1 to 12, and marked from A to D.” “The passages which run at right angles with the avenues, are termed *Streets*, and are numbered consecutively from 1 to 155.”

The Report wholly abstains from describing any “road” as constituting part of the plan, and from that circumstance it is strongly inferred, that the plan was intended to consist only of streets, avenues, and public squares, and did not comprehend any “road” whatsoever.”

It will be perceived however, that on the Map which accompanies the Report, the Commissioners have traced out the boundaries and courses of several of the antient roads and highways then existing, and which extended in various irregular directions over the upper part of the city, such as the “*Eastern Post Road*,” the “*Fitzroy Road*,” &c. &c.; and that the names of each of those several roads are also inscribed on the Map, within the lines of their respective tracks;—but it will also be perceived, that those roads are uniformly represented on the Map by outlines faintly dotted, while, on the contrary, the boundaries of all the streets, avenues, and public squares, which are expressly described in the Report, forming parts of the plan, are clearly and distinctly marked out and defined by heavy, unbroken lines. It is utterly improbable that the Commissioners intended to adopt, permanent parts of their rectangular plan, all the crooked old “roads,” which will be found delineated on their Map, and the only supposition which can reasonably be admitted is, that those roads were laid down on the Commissioners’ Map, for the sake only of furnishing familiar and convenient land marks

which might more readily indicate the relative position of the new streets and avenues, in respect to the pre-existing highways of the city.

In respect, however, to the legal boundaries and position of "Broadway," the Committee are not left to mere inference. Both the Report, and the Map of the Commissioners, furnish conclusive evidence, that they intended to abolish from the city plan "Broadway," as it then existed north of Tenth-street. Upon their Map, the line of Broadway, instead of diverging to the left at Tenth-street, (as it had been extended in the year 1806,) is continued out in a straight course to the "Parade," at Twenty-third street, pursuing the line of its present direction south of Tenth-street:—and in the Report it is also affirmed in express words, that "Broadway is continued out to the Parade." Within the track of that part of the highway which had lately been called "Broadway," north of Tenth-street, the Commissioners have moreover inscribed the words "*Bloomingdale road*," and thereby most positively and unequivocally manifested their intention, that "Broadway" should at all events, cease to exist as such, or under that name, in the oblique direction which it had pursued since the year 1806, north of Tenth-street.

It appears however from a further inspection of the Commissioner's map, that they laid out a public square called "UNION PLACE," commencing at Tenth-street and extending north to the "Fork of the Roads" above mentioned, lying between the west line of the highway thus marked "*Bloomingdale road*" on the map, and the east line of the ancient highway which on their map is inscribed with the name "*Bowery road*." And the question is then presented, whether the Commissioners thereby intended to lay out and adopt each of those two roads, as independent legal *street* which should surround the exterior of the square,—or whether they intended to delineate each of those roads only as a *carriage way* legally incorporated with the square, and constituting an integral portion of its contents.



The importance of this distinction will readily be perceived. If the two roads in question are established as legal streets independent of the square and not partaking with it in legal character, they must forever be kept open and maintained *as streets* within the lines laid down on the map, and would be wholly unchangeable and inflexible:—whereas if they exist in law only *as carriage ways* forming parts of the square itself, they may be regulated by the Common Council in conjunction with and in reference to the square, and consequently their courses or dimensions may from time to time be varied, diverted, enlarged or improved in the sole discretion of the City authorities, and in such mode as may most conduce to the public good.

In the absence of any affirmative evidence on this point to be collected from the Report, the Committee must necessarily be governed by the map. They find that it delineates only in dotted lines the eastern side of the Bloomingdale road and the western side of the Bowery road, except where the latter road crosses the square diagonally in which part of the map both of its lines are dotted. It is true that the western line of the Bloomingdale road, and a part of the eastern line of the Bowery road are represented on the map by unbroken lines, similar to those employed to mark out the boundaries of the regular streets and squares, but that circumstance was evidently occasioned by the fact that the lines of each of those roads thus delineated, coincided in actual position with the western and eastern boundary lines of the square, and instead of representing sides of those roads are in fact employed to define the boundaries of the square itself. The map does not represent either of the lines of Broadway as crossing the surface of the square, but its course ■ extended in a straight line north from the square is represented by distinct, unbroken lines. The line of the Fourth Avenue also stops at Fifteenth-street, for in the language of the Report it “is there lost in Union Place.” From these several circumstances the Committee have come to the conclusion, that it was the intention of the Commissioners and

the true construction to be gathered from their map, that the Bloomingdale road and the Bowery road should also be "lost in Union Place," and ceasing in law to exist as highways should become merged within the square itself.

Nor is there any reason to apprehend that this construction, if adopted, will expose the individual proprietors of lands lying on the line of those roads, to any actual damage or inconvenience either by change of front or otherwise. The Corporation of the city possessing the right to regulate and controul all the carriage-ways forming integral parts of the square, may, and doubtless will, in their sound discretion, from time to time enlarge or alter the course or dimensions of those carriage-ways, in such mode as may most embellish the square and promote the public convenience—but nevertheless, it will always be practically certain, that the Common Council, as guardians of the common welfare, will maintain carriage-ways around the square, of such form and size as shall be most commodious,—and that they never will discontinue those which are already existing, without substituting, at the same time, others which shall be not less spacious, ornamental and convenient.

UNION PLACE, as laid out by the Commissioners, contained nearly thirty acres, and it is much to be regretted that it should ever have been altered or diminished. In the emphatic language of their Report, "this place becomes necessary from various considerations; its central position requires an opening for the benefit of fresh air: the union of so many large roads demands space, for security and convenience, and the morsels into which it would be cut, by continuing across it the several streets and avenues, would be of little use or value."

On the 11th day of April, 1815, an act was passed by the Legislature of this State, which materially changed the plan of the Commissioners. It declared "that the Broadway shall not be continued northwardly from Tenth-street to the Twenty-third-street, as is contemplated by the said Commissioners, and designated on the said map or plan, but that, on

the contrary, the said *Broadway shall stop on the northerly side of Tenth-street;*” and it further provided, “that the Fourth Avenue shall be extended southwardly from Sixteenth-street, and continued in a straight line to the Bloomingdale road;” and that “all that certain part of the said place designated on the said map or plan, by the name of Union Place, which is bounded northwestwardly and westwardly by the Fourth Avenue, so continued as aforesaid, and by the Bloomingdale road, eastwardly by the Bowery, and southwardly by the Tenth-street, shall cease to be, or be deemed to be, a public square or place.”

The unfortunate effects of this statute will be perceived by examining the City map. The square was reduced to less than one eighth of the dimensions allotted to it by the Commissioners, and all that remained of its spacious area, consisted of the irregular and narrow piece of land lying north of Fourteenth-street forming the northern extremity of the “fork of the Roads.” Even that diminutive remnant was not spared by the statute, for it directed Fifteenth-street to “be extended eastwardly from the Bloomingdale road “through the said land, which by the said plan was intended “to form a part of the said Union Place,”—thus subdividing what remained of the square into two misshapen and worthless fragments. The extension of the Fourth Avenue southwardly from Sixteenth-street moreover created an irregular plot of land between the west line of the Avenue and the east line of the Bowery road, and it also mutilated the small block on the south side of the square lying between Fourteenth-street and Thirteenth-street, leaving only a remnant of irregular shape. In truth this statute strikingly operated to revive and reproduce the very evils, which the Commissioners had sought to remedy and avoid by establishing Union Place. “The morsels into which the square was cut, by “continuing it across these several Streets and Avenues” became indeed “of little use or value.”

In December, 1831, a very large number of tax-paying inhabitants of this City, perceiving the absurdity of establish-

ing a public square thus broken into fragments, and surrounded by irregular and worthless patches of land, presented a petition to the Common Council soliciting them to obtain from the Legislature an act to amend the plan of the City, by establishing (in the words of the petition) "*a Park or Public Square* upon what is commonly called the Bowery Hill including Union Place,"—to which petition they annexed a map or diagram exhibiting the proposed "Park or Square" in the form of the parallelogram which is in this Report above described, containing 877 feet in length and 502 feet and 9 inches in breadth, comprehending, consolidating and uniting in one single, rectangular square, all the scattered gores of land and fragments of roads, streets and avenues falling within those limits. The plan was deposited several weeks in the Street Commissioner's office, and all persons interested were notified by public advertisement to furnish objections if any existed. A few individuals, principally lessees of small tenements in that vicinity, remonstrated against the measure, but the Common Council being fully convinced of its necessity, importance and value, unanimously granted the prayer of the petition.

It also appears that subsequently to the passage of the law of 1815, four of the streets laid out by the Commissioners, to wit, Fourteenth, Fifteenth, Sixteenth, and Seventeenth-sts. had been actually opened through this parallelogram, and legal proceedings were also pending to open the Fourth Avenue,—so that including the Bloomingdale and Bowery Roads, there were no less than seven public streets which intersected the proposed area of the square.

By inspecting the diagram annexed to the original petition on the files of the Common Council, the Committee find a written memorandum made by Judge Wright, (then Street Commissioner,) calculating the extent of the proposed "*Park or Square*," and stating its area to contain 440,912 square feet, or 10 12-100 acres, and that 267,762 feet of that amount consisted of "*public property in streets*."

It also appears that copies of the diagram containing this



calculation, and representing Union Place as comprehending one unbroken rectangular square, were lithographed at that time, and exhibited to the members of the Common Council. The Committee, therefore, are entirely convinced that the Common Council of the year 1831, in adopting the proposed alteration, distinctly intended, and in fact that it was their principal and leading object, to discontinue and abolish the numerous and useless fragments of streets and roads which then disfigured that portion of the city, and to merge them all in one single rectangular "Park or Square."

On the 5th of April, 1832, the Legislature of this State, on the petition of the Common Council, passed the necessary law for accomplishing that object. It declared that "the  
"public place known on the map or plan of the city of New-  
"York as Union Place, shall be altered and enlarged, so as to  
"include within its boundaries *all the lands and premises* lying  
"within the following lines, that is to say ; beginning at the  
"point where the easterly line of the Fourth Avenue, as the  
"same is now laid down on the map or plan of the said city,  
"intersects the southerly line of Fourteenth-street, and run-  
"ning thence northerly along the easterly line of the Fourth  
"Avenue to the northerly line of Seventeenth-street ; thence  
"westerly along the northerly line of Seventeenth-street to  
"the *westerly side of the Bloomingdale-Road* ; thence southerly  
"on a line running parallel with the easterly line of the  
"Fourth Avenue to the southerly line of Fourteenth-street ;  
"and thence easterly along the southerly line of Fourteenth-  
"street to the place of beginning."

In the judgment of the Committee, the plain and unequivocal language of this statute decisively establishes the truth of the proposition, for which the Memorialists now contend, to wit : That the whole of the land formerly covered by the Bloomingdale road, between the south line of 14th street, and the north line of 17th street, is legally included within the limits of Union Place. The boundaries of Union Place, as now existing, cannot possibly be mistaken. They no longer depend upon conjecture, or inference to be

drawn from the Report or Map of the Commissioners, but on the contrary, are distinctly marked out by mathematical lines prescribed and declared by the act of the Legislature. The northern line of the square extending westerly until it reaches the west side of the Bloomingdale road, necessarily crosses that road entirely, and it then proceeds by southerly and easterly courses, to mark out a parallelogram, which must inevitably embrace the whole of the road in question.

For the purpose of more distinctly exhibiting the different changes produced by these several statutes in the plan of the city, the Committee have hereto subjoined a map, presenting at one view three diagrams; of which

No. 1 exhibits Union Place as originally laid out by the Commissioners, and represents by *fac simile* their manner of delineating the Bloomingdale and Bowery roads :

No. 2 represents Union Place as reduced by the law of April 11th, 1815, and the Fourth Avenue as thereby extended; and

No 3 represents Union Place as enlarged by the law of April 5th, 1832, and as now existing.

It has however been contended by the Remonstrants before the Committee, that although the Legislature by the statute of April 5, 1832, may have expressly included the Bloomingdale road within the boundaries of Union Place, they did not intend thereby to discontinue that road as a public highway : and to support that position, the 2d section of the act is adduced, which provides that the Fourth Avenue (which until the passage of that law extended across the area of the square,) shall thereafter terminate at 17th street,—and thence it is inferred that the Legislature, by expressly discontinuing the Fourth Avenue, and omitting expressly to discontinue the Bloomingdale road, by necessary implication have denoted their intention to keep open the Bloomingdale road. It has been shown, however, in answer to this objection, that a reason existed for introducing this clause in respect to the Fourth Avenue, which did not apply to the Bloomingdale road, to wit : that the 2d clause of the statute of April 5, 1832, was ren-

dered necessary by that part of the statute of April 11th, 1815, which had expressly extended the Fourth Avenue southerly to the Bloomingdale road, and which in consequence thereof, had cut off a part of the block on the south side of Union Place between 14th and 13th streets :—and that it was for the purpose of preventing the extension of the Avenue through that block, and thereby restoring it to its original dimensions, and so far repealing that part of the law of April 11, 1815, that the 2d section was added to the law of April 5, 1832, which plainly manifests its true object, by declaring that the Fourth Avenue shall terminate at the “ northerly side of 17th street, *and shall not be continued southerly of Union Place.*”

Besides, if it was necessary for the statute to have declared in express words that the Bloomingdale road should be discontinued, the same necessity would have applied, in an equal if not much greater degree, to 14th, 15th, 16th, and 17th streets. Those streets had been regularly established as legal streets on the Commissioners’ plan, and as such had been duly opened by legal proceedings, under which, assessments had been imposed on the individual proprietors of lands on those streets, amounting in the aggregate to upwards of 78,000 dollars ;—and nevertheless, no one of those proprietors has thought it proper to claim before the Committee, that it was necessary for the Legislature to declare in express words, that the portions of those streets respectively falling within the boundaries of the parallelogram in question, should be discontinued. Such a clause would indeed have been wholly superfluous. The phrase “*all the lands and premises*” within the parallelogram, unquestionably comprehended every kind and species of land whatsoever lying within its boundaries, and of necessity embraced and included all the scattered parts and fragments of roads and streets in question.

Immediately after the passage of April 5th, 1832, the Common Council proceeded (under the general act for opening the streets and squares of the city,) to open Union Place

thus enlarged as a public square. Commissioners of assessment and estimate were duly appointed by the Supreme Court, to value the damages to be sustained by all persons, who by means of opening such square, might be deprived of any legal right or property in any part of the lands falling within its limits. The Report of the Commissioners was presented to the Supreme Court and duly confirmed on the 4th day of April, 1833, and on the first day of June, 1833, the Street Commissioners, in behalf of the public, regularly took possession of the Square.

The Map made for the purpose of making up the assessment for opening Union Place, and now deposited in the Street Commissioners' Office, corresponds with the diagram No. 3, on the Map hereto annexed. It represents Union Place as forming one unbroken parallelogram, and contains no trace or vestige whatever of any of the seven roads and streets which had previously intersected its surface. That Map was exhibited to the Memorialists in collecting from them the assessments, which were laid for the benefit which the Square thus laid out was supposed to impart to the surrounding property, and the Memorialists paid those assessments in the full faith and confidence that "*Union Place*," as represented on that Map, had been duly and legally opened. Upwards of \$1,000 per lot, was assessed on each of the seventy-six lots fronting on the Square, and proportionate amounts on the lots adjacent. The sum total of damages and expenses amounted to \$213,516, the whole of which was imposed upon and collected from the individual proprietors of the lands in the vicinity. No part of that large amount was assessed upon or paid by the city Corporation, and the only contribution, either in land or money, which the city at large ever made towards opening Union Place, consisted in their discontinuing *as streets*, the scattered parts and fragments of roads and highways, constituting about six-tenths of its contents, and simultaneously regaining and reacquiring for the public use *as a Public Square*, without expense, the same six-tenths, consolidated and united with the remaining four-tenths, which had been taken



from individuals, and for which the Memorialists paid \$213, 516. And it is indeed a circumstance well worthy of notice, that while the other public squares of the city had cost the public, either in land or money, more than a million of dollars, Union Place, embracing an area as large as the Battery, comprehending ten acres of land in a central and very valuable portion of the city, and destined to remain for ever open, for the embellishment of the metropolis and the health and the recreation of its inhabitants, literally cost the public *nothing*. The owners of the adjacent lands virtually bought the Square and bestowed it gratuitously upon the public.

The Remonstrants, however, contend that the public authorities had no right to discontinue and surrender without pecuniary compensation, that part of the Bloomingdale-road belonging to the public, and embraced within the limits of the square,—but that it was necessary to prosecute technical, legal measures, for closing that portion of the highway, and valuing the damages (if any) under the statute of April 20th, 1818, which provides for the closing of old streets and roads.

In the judgment of the Committee, that proceeding would have been equally unjust and unnecessary. It cannot for a moment be seriously pretended, that the public have been, or can be damaged merely by allowing this fragment of road to cease to exist as a legal highway, when they have gained in its place this very desirable and valuable public square. It is equally certain, that no damages have been, or could have been sustained by individual proprietors. The owners of the land adjacent to the road have not lost, and could not have lost any front in consequence of closing the road, for the plain reason that the whole of the land itself which had the front and lying adjacent to the road, has been taken into the square, and the proprietors to whom it belonged, have been paid its full value by the sums awarded to them by the Commissioners of Estimate and Assessment for opening the Square. It moreover appears, that among the persons who have most actively united in the present petition for enclosing the square, are to be found several of the descendants and legal representatives of the original proprietors, who, in the year 1806,

ceded and conveyed to the Corporation the very land in question covered by the road.

The Committee are not informed, nor do they believe, that any one of the proprietors of lands formerly fronting on that part of the road, and now falling within the square, has remonstrated against the petition of the Memorialists. On the contrary, it is represented, and not denied, that those proprietors are now unanimously desirous that the road should be enclosed and regulated as part of Union Place, and that the subject of establishing carriage-ways through or around the part enclosed, should be left to the sole discretion of the Common Council. The objection of the Remonstrants, requiring the road to be closed before the square could be opened, is in its nature wholly technical and artificial, involving no considerations of equity, justice, or public policy, and presenting only a question ~~to~~ to legal formalities. Having been aided in this branch of their investigation by the standing Counsel of the Corporation, the Committee have come to the conclusion that the objection is wholly untenable, and that the proceedings for opening Union Place, have been regularly conducted and duly perfected, whereby the square has become legally opened:—and that it was wholly unnecessary, and would have been contrary, moreover, to settled and established usage and precedent in similar cases, for the Corporation to have prosecuted any separate legal proceedings for the purpose of closing or discontinuing the Bloomingdale-Road, ~~a~~ a preliminary to the opening of Union Place, because the opening of the square, by its own legal operation, necessarily discontinued the pre-existing roads and streets lying within its limits, and terminated their legal existence.

And even if it should be admitted that any individuals were damaged by closing the Bloomingdale Road more than they were benefitted by the opening of Union Place, (which in the judgment of the Committee, could not have been the fact,) those individuals had a full opportunity to claim indemnity from the Commissioners of Estimate and Assessment for opening Union Place, and to those Commissioners, and to

them only, the claim ought to have been presented. In legal theory it is supposed, and the Committee have no doubt that in point of fact it is true, that the monies awarded by those Commissioners, (to whose exclusive judgment the question is by law submitted) fully indemnified every individual whatever, who was really damaged by the opening of Union Place. All persons interested were fully notified by public advertisement, of the proceedings of those Commissioners, who openly exhibited the Map made under their direction, of the lands taken to open the Square, which represented the road in question as wholly discontinued and merged within the limits of the Square. Their proceedings were public and notorious, and every person whose rights were affected could have protected them either before the Commissioners or before the Supreme Court, to whom their Report was submitted for approval. Their Report having been duly presented and regularly confirmed, the question of damages was finally settled, and it cannot again be agitated or re-examined.

The Committee are, moreover, of opinion that it is not true that any legal mode existed or was provided by law for closing that part of the road in question, except by opening the Square, which operated *ipso facto* to produce that result. The details of the law of April 20th, 1818, for closing old streets and roads, manifestly refer only to such streets and roads as are to be actually *closed*, that is to say *enclosed*, shut up, and covered with buildings, and are wholly inapplicable to any road or part of road, or street, which happens to coincide in position and to fall within the very limits of one of the streets or squares laid out on the Commissioners' plan. The statute of April 20th, 1818, converts the lands formerly covered by the street or road so closed, not to the use of the public, (to be used as a street or square, as the case might be) but "to the use of the Mayor, Aldermen and Commonalty," who are thereby authorized "by any person under their authority, to take the sole and exclusive possession of the same." But in the present case, the Mayor, Aldermen and Commonalty could never become rightfully entitled, even for

a moment, to take "the sole and exclusive possession" of the land covered by the highway, and merged within the square, nor could that land ever be converted to the exclusive use of the city in its corporate capacity, for it could not legally cease to exist as a public highway until it should become part of a public square, and in either character it would be liable to be used, possessed and enjoyed by every individual in the community.

It is also manifest, that it was the principal object and design of the statute of 1818, to effectuate the design of that clause of the act of 1807, which directs that no road or street inconsistent with the general plan of the Commissioners, shall remain open. It therefore provided a mode of closing up such parts of roads and streets as would, if kept open, divide the blocks formed by the opening of the streets devised by the Commissioners, and thereby impair the symmetry and regularity of their plan—but it evidently did not intend to create the technical necessity, where none had previously existed, of employing legal formalities in order to close up such parts of the pre-existing roads and streets, as happened to fall within the very limits of the streets and squares laid out by the commissioners, and which, by that coincidence of position, had become incorporated into their plan. *adding on*

The mischievous tendency of the objections urged by the Remonstrants is quite apparent. If it was necessary as a preliminary to the opening of Union Place to prosecute dilatory and expensive legal proceedings, to discontinue the Bloomingdale road, the same necessity applied in equal degree to the Bowery road, and especially to 14th, 15th, 16th and 17th streets; for the streets last named had been regularly laid out by law, on the permanent plan of the city, and regularly opened through the area of Union Place. The public, as well as the individual proprietors who had paid assessments for opening those streets, (amounting in the aggregate to \$78,000,) thereby acquired a common right of passage over every part of the streets thus opened, so long as legally exist *as legal streets*. But if the Bloomingdale road remains open because it has not been specifically



and technically closed, these other streets, and also the Bowery road, must equally remain open. The consequences are evident. Union Place, instead of constituting "a park ■■ public square," as was intended by the Common Council and the Legislature, lying in one entire, unbroken parallelogram, and capable of beneficial improvement, remains intersected and mutilated by each of these several roads and streets, and subdivided into no less than seven misshapen parcels ; the beauty, symmetry, and value of the square are ruined and destroyed ; the liberal objects of the law of 1832 are frustrated and defeated ; and the sum of \$213,-516 paid in good faith by the Memorialists, are needlessly, and in the judgment of the Committee, unlawfully and wantonly sacrificed.

The Committee being strongly impressed with the enduring advantages to be derived from the establishment and judicious embellishment of Union Place, and the necessity and policy of preserving it uninjured and unimpaired for the health, ornament, and recreation of the city, have been led to examine with critical attention, the legal proceedings by which it has been laid out and opened, and to scrutinize the merits of the objections which manifestly seek to restrain the public from its reasonable use and enjoyment. After careful investigation, they have unanimously arrived at the conclusion, that the objections of the Remonstrants, tending ■■ they inevitably must, to defeat the great and lasting objects for which the square was established, have no reasonable or sufficient foundation either in law or justice ; that the title of the city to every part of the parallelogram laid out ■■ Union Place is, ■■ it ought to be, perfect in all respects ; and that the Common Council may now rightfully proceed to render it available for the use and enjoyment of the public.

The Committee, therefore, in respect to so much of the subject matter of the present reference as involves the question of legal right, and to the end, that the Common Council may proceed to declare, define, uphold, and vindicate its lawful authority, beg leave to report :

That all the lands and premises lying within the exterior limits of the parallelogram above described, being 877 feet long, and 502 feet and nine inches broad, have become the sole property in fee of the Corporation of the city of New-York, in trust to appropriate the same as a public square, under the name of UNION PLACE; that every species of estate, right, property, or legal interest, previously belonging to any individual, in every or any part of these lands, is ~~now~~ wholly extinguished; that each and every of the streets, roads, and highways, formerly laid out over those lands, have ceased in law to exist as public highways, and ~~are~~ now legally merged in the square and form component parts thereof: that the Corporation may therefore lawfully proceed to regulate, enclose, improve, and ornament the whole, or any portion of those lands, as a public square, for the embellishment of the city, and the common use, benefit, and enjoyment of its inhabitants, in such mode as in the reasonable discretion of the Common Council, may be most conducive to the public good.

The second and third heads of inquiry presented by the Memorialists, claiming it to be the *duty* and the *interest* of the Corporation, to enclose and decorate a portion of Union Place for the embellishment of the city, will require but little examination.

The duty of the Corporation is plainly declared by law. The statute of April 9th, 1813, touching the laying out of streets and squares, provides that on the final confirmation by the Supreme Court of the Report of the Commissioners of Estimate and Assessment for opening a public square, the Corporation shall become seized in fee of all the lands taken for that purpose, "in trust," nevertheless that the "same be appropriated and kept open for a public square for ever, *in like manner as the public squares in the said city are and of right ought to be.*"

The law does not specify the mode of using or improving a public square, nor does it direct what portion of its surface shall be enclosed, and what portion left open for carriage-ways. These details are necessarily and properly left to the

sound discretion of the Common Council, who will doubtless pursue such course as is reasonable and customary. The provisions of the law directing the square to be kept for ever "open," intend only that its area should not be occupied by buildings, and that the whole should remain open for the purpose of ventilating the city. It does not thereby necessarily follow, that the public have a right to pass with vehicles over the whole of the surface of the square, and it is evident that the Common Council are as much empowered to restrain them from so doing, as to prevent the driving of carriages over that part of an open street laid out for the sidewalks.

The square is intended for the public recreation, and in order to promote and secure that object, the Common Council may undoubtedly surround a portion of it with an ornamental fence, and decorate the interior with grass or shrubbery—and they are bound only in the exercise of a sound discretion, to establish carriage-ways and sidewalks around the enclosure, of such size and situation, as shall at the same time accommodate the public and the occupants of the lands bounded immediately on the square. And this has been the course and custom always pursued by the city authorities, in reference to their public squares. A great part of the Bowling Green has long been wholly enclosed by an iron fence, and the public debarred from any access to the interior. The Battery has been kept open only as a promenade, being surrounded by an iron fence, for which the public treasury paid \$25,768 70-100 in addition to the sum of \$101,669 75-100 expended in extending its limits into the harbour, and protecting the exterior by a sea-wall. The latter amount was raised by a tax of \$25,000, levied annually on all the wards of the city, of which only \$6,666 was paid by the whole of the first ward.

The Park has been surrounded by an ornamental iron fence, for the sake of embellishing that quarter of the city, at an expense of about \$20,000, also paid from the public treasury. The Washington Square was filled up, regulated, surrounded in fence, and planted with shrubbery at the public expense, exceeding \$10,000. About two-thirds of its area,

being the Old Pottersfield, (belonging to the city in its corporate character, and now worth at least \$200,000,) was contributed by the public, in order to establish that square. The value of the public lands in the Battery, and in the Park, and used only ■■ ornamental promenades, cannot be less than \$800,000.

Seeing, therefore, that the public have contributed nothing towards the formation of Union Place, (except the fragments of streets and roads above mentioned, in lieu of which they will establish regular carriage-ways far more spacious and commodious,) and that individuals have paid \$213,516, in order to devote it to the public use, the Committee can have no doubt but that the Corporation are in duty bound to improve and ornament the square thus advantageously acquired, in a style fully equal to that of the other public squares of the city.

The Committee also concur in the third position taken by the memorialists, to wit: that the *pecuniary interest* of the public will be promoted by the liberal embellishment of Union Place.

The real estate of the inhabitants of this city pays upwards of two-thirds of the public taxes. By fostering its growth, and encouraging the efforts of enterprising individuals to enhance its value, the public resources will be correspondingly increased. We are also admonished by the rapid growth of ■ rival city, lying on the very borders of our city, and seeking to share largely in its prosperity and wealth, that we shall most effectually retain within our reach that portion of our population which contributes most largely towards the public burthens, by increasing the attractions of our own city. Ornamental squares, liberally embellished, will do much towards accomplishing that object, by affording the ■ means of establishing desirable private residences within our own limits, and a large additional amount of taxable value will thus be rendered tributary to the public treasury.

The building lots lying between 14th and 21st streets, and between Union place and the ■ Avenue, which in the year 1831



paid in taxes to the Treasury only \$567 30-00, in the year 1833, paid \$3,373 80-00, and that increase was in a great measure produced by the opening of Union Place, and the belief that it was to become one of the ornamental public squares of the city. On the immediate front of the square, there are 76 spacious building lots, affording sites for 76 costly dwelling houses. Their taxable value, at \$15,000 each, will be \$1,140,000. There are also thirteen streets leading directly into the square, on each of which there are at least twenty, in all two hundred and sixty building lots, which will also be rendered desirable for valuable private residences in case the square shall be judiciously improved. At the moderate valuation of \$6,000 each, their taxable value will be \$1,560,000, making with that immediately on the square, \$2,700,000, which at 60 cents on the hundred dollars, will pay in annual taxes \$16,200—and it may be safely calculated that at least one half of that amount will be annually gained to the Treasury by the increase of taxable value, which the establishment of the square will create and diffuse throughout its vicinity.

In estimating the pecuniary benefits which the public will derive by increasing the attractions of the upper part of the city, the Committee have also adverted to the fact that the southerly boundary of a valuable part of the great public domain of the city, known as "The Common Lands," containing about 4,000 lots, and destined when occupied by buildings, to add enormously to the public wealth, lies within three-quarters of a mile above Union place, and that the erection of valuable dwellings around that square, will establish a very important link in the chain of improvement, by which this vast body of public property is to be connected with the populated portions of the city.

The Committee have also ascertained that several of the Memorialists intend to erect expensive houses upon the square, and its immediate vicinity, as soon as the Common Council shall definitely order a portion of the surface to be properly enclosed and decorated.

It therefore, only remains for the Committee to ascertain what part of Union Place may be enclosed so as most to embellish the city, and promote the convenience of the public.

By inspecting the map, it is obvious that in order to inclose any sufficient portion of the square, which shall be regular and symmetrical in form, it will become necessary to alter somewhat the present direction of the carriage way, lately forming the Bloomingdale road, between 14th and 17th sts. The Committee are entirely satisfied that the public welfare does not require that carriage-way to be inflexibly maintained in a straight line through the enclosure, but that an elliptical portion of the square may be enclosed in fence, and devoted to the recreation of the public, without occasioning any material inconvenience to the persons having occasion to travel on that road. By slightly curving the present line of that carriage way, so that it shall pass around, instead of running through the enclosure, the line of travel will not be increased more than 60 feet in 900. They recommend, however, that the space left open around the whole of the enclosure for sidewalks and carriage-ways, shall not be less than one hundred feet wide in its narrowest part, which increased space, exceeding by 20 feet the present width of Broadway, will in their opinion, amply counterbalance the trifling inconvenience which the public may sustain by curving the line of the carriage-way. It is moreover obvious that the enclosing of the interior will save to the public the heavy expense they must otherwise incur, in paving and constantly keeping in repair so large a surface, and this item alone will nearly defray the whole cost of erecting the necessary iron fence.

The Committee, therefore, recommend the adoption of the following resolution :

*Resolved*, (if the Board of Aldermen concur herein,) That the Corporation of the city of New-York are lawfully authorized to enclose, regulate, and improve all the lands lying within the limits of Union Place, as defined by the statute of April 5th, 1832, in like mode with the other public

squares of the city; and, accordingly, it is ordered, that so much of the area of the said square as shall be comprehended within the elliptical figure laid down on the plan deposited in the Street Commissioners' office, containing not more than 677 feet in length, and not more than 302 feet and 9 inches in breadth, be enclosed with an iron fence and stone coping, with convenient and appropriate gates:—that the surface of the enclosure be reduced to proper and sufficient levels, and prepared to receive grass or shrubbery, with convenient foot walks:—that a flagged side walk be laid around the exterior of the enclosure, not exceeding 15 feet in width:—that in the mean time, and until the further order of the Common Council in respect to the permanent paving of the carriage-ways around the exterior, such portion thereof, as may be necessary be rendered passable for carriages and vehicles. That the Street Commissioner, under the direction of the Joint Committee on Wharves, Lands, and Places of the two Boards, carry this resolution into effect, and fifteen thousand dollars is hereby appropriated for the purpose.

Dated New-York, 14th July, 1834.

WM. SAML. JOHNSON,	}	<i>Committee on Streets.</i>
ROBERT SMITH,		
SAML. PURDY,	}	<i>Committee on Wharves,</i>
F. A. TALLMADGE,		
JOHN W. LAMB,		<i>Lands, and Places.</i>

I am of opinion that the whole of the parallelogram of land mentioned in the foregoing Report, has become one of the public squares of this city, and has been legally opened as such:—that no streets, roads, or highways longer exist as such, over its surface, but have become legally merged in the square.

I am, therefore, of opinion that the Corporation have the right to enclose in fence, such portions of the square, and devote such other portion to the purpose of carriage-ways, as they may deem expedient.

July 14, 1834.

R. EMMET.

**DOCUMENT NO. 2.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 14, 1834.**

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Report of the Ferry Committee on the papers referred to them, relative to the South Ferry.

**R. FISHER, Clerk.**

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The Ferry Committee, to whom was referred certain Papers in relation to the South Ferry, consisting of a Report made by the Ferry Committee of the late Board of Assistants, on the Petition of Alpheus Sherman and Clarence D. Sackett, praying for the establishment of the South Ferry, and for a lease thereof; also, a remonstrance from certain inhabitants of the 1st Ward against locating the South Ferry at Old Slip; also, certain Resolutions offered by Mr. Fickett, relative to the Ferries between New York and Brooklyn; also, certain Resolutions offered by Mr. Allen on the same subject,

**RESPECTFULLY REPORT,**

That they have considered, (as the principal subject referred to them,) the expediency of establishing a South Ferry from this City to Long Island, and the fittest location for such Ferry on this side. They fully agree with



the Report of the late Ferry Committee, that such a Ferry is necessary for the convenience of the inhabitants of the lower part of this city, and those of Brooklyn, the streets leading to the present Fulton Ferry on each side of the river, being entirely too crowded for safe and expeditious passage: But they differ in opinion with the said late Committee, as to the fittest location for the Ferry on this side, and as to the proper mode of leasing such Ferry when established.

The Report of the late Committee recommends that the new South Ferry should be established at and from the Old Slip in this City, to a point at or near Patchen's Dock at the foot of Atlantic-street, in Brooklyn. This Committee, having heard the representations of the owners of property in the neighborhood of the Old Slip, are well satisfied that the commerce of the City would be injured by locating a Ferry there, and they have concluded to recommend that Whitehall Slip be fixed upon as the fittest location for such Ferry in this City.

As to the manner of leasing this and other Ferries, the Committee are of opinion that all Ferries should be leased for short periods, not exceeding                      years, and that they should be given to the highest bidder, to be ascertained either by putting the lease up at auction, or by advertising for the highest offer, and they recommend that this course be pursued in regard to the proposed South Ferry.

The Resolution of Mr. Allen suggests the propriety of running all Ferries in this City at the expense and for the benefit of the Corporation. The Committee do not believe it would be expedient to adopt this course. The patronage of the Common Council is already, if anything, too extensive, and your Committee are opposed to any schemes which must create new offices or employments under the Corporation.

The resolutions offered by Mr. Fickett contemplate that no further Ferry facilities should be granted between this

City and Brooklyn, until the Corporation of Brooklyn shall co-operate with the Common Council of this City in obtaining the passage of an Act of the Legislature, so to amend the law relative to the taxation of personal estate, as that the owners thereof in the two cities, may be assessed and taxed at their places of business respectively. The Committee highly approve of this suggestion in respect to taxation, but do not think that it should delay the establishment of the South Ferry, if public convenience calls for it. They recommend that proper measures be taken during the next session of the Legislature, to obtain the passage of such a law as will subject persons residing in Brooklyn, but having counting houses and stores in the City of New York, to taxation here in like manner as if they were residents of this City, and if the co-operation of the authorities of Brooklyn can be obtained to procure such a law, operating equally upon the inhabitants of both cities, it will encrease the chances of its success before the Legislature. This subject will, they presume, be taken up by the Common Council in due season.

The Committee conclude by offering the following Resolutions:

*Resolved*, That a Ferry be established from Whitehall Slip to the foot of Atlantic-street, in Brooklyn, to be called the South Ferry, and that such part of the said Whitehall Slip and of the bulkhead fronting the same, as may be necessary for such Ferry, be appropriated for that purpose, and designated by the Street Commissioner and Superintendent of Wharves.

*Resolved*, That the Comptroller advertise for proposals to take a lease of the said Ferry, for \_\_\_\_\_ years, the lessees to furnish two good Steam Ferry Boats, to be approved by the Ferry Committee of the Common Council, and to provide all necessary floats and fixtures, and to be subject to such provisions and conditions as are usual in the Ferry leases granted by the Corporation; and that such lease be given to such person or persons as may offer the

highest annual rent therefor, he or they giving a bond under a penalty, and with sureties to be approved by the Comptroller, conditioned to indemnify the Corporation against all claims on the part of the lessees of the Fulton Ferry Company, under their lease; such bond to be approved, as to its form and contents, by the Council.

*Resolved*, That the Counsel prepare such lease as may be given in pursuance of the foregoing Resolution, the lessees paying the expense thereof.

**ROBERT SMITH,** } *Committee on Ferries.*  
**J. J. BOYD,** }

**DOCUMENT NO. 10.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 14, 1834.**

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**Report of the Street Committee on the Memorial of the Corporation of Trinity Church, against the extension of Albany-street to Broadway.**

**R. FISHER, Clerk.**

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*To the Honorable the Mayor, Aldermen,  
and Common Council of the City of New-York :*

The undersigned, a Committee of the Vestry of Trinity Church to remonstrate against, and oppose the opening of a street through their Church Yard, take leave most respectfully to bring this subject again under the consideration of your honorable body, the refusal of the Supreme Court to confirm the report of the Commissioners of Estimate and Assessment having placed the whole matter within your legitimate control.

The grounds on which the Vestry have been compelled to object to this measure are stated in a memorial presented to the Common Council in February, 1833, a copy of which is annexed, and to which the Committee now pray leave to refer.

The additional light afforded by the Report of the first Commissioners, by the opinion of the Court, and by further and more calm reflection, will, it is hoped add new force to the considerations urged in that document. Under this impression, the undersigned most earnestly pray that the present plan may be abandoned and some other adopted which, whilst equally conducive to the public accommodation, may serve to avoid that violation of private feelings which has given rise to the opposition of the Vestry, and has called forth the decided disapprobation of a very large portion of the community.

16th June, 1834.

WM. JOHNSON,  
D. M. BROWN,  
T. L. OGDEN,  
CHAS. GRAHAM.

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*To the Honorable the Mayor, Aldermen, and Commonalty of  
the City of New-York, in Common Council convened :*

The Committee appointed by the Vestry of Trinity Church, to remonstrate against the opening of a street through Trinity Church Yard, and to pursue such measures as they may deem proper to prevent the same, beg leave respectfully to solicit your honourable body to reconsider and repeal the Resolution or Ordinance lately passed by your honorable body, for continuing Albany-street from Greenwich-street through Trinity Church yard to Broadway. The Committee are induced to make this application from information believed to be correct, that your honorable body, at the time the said resolution was passed, were under erroneous impressions as to the rights of the Corporation of Trinity Church, the views of the Vestry, and of the state of public sentiment in regard to the expediency and propriety of opening a street through the said Church Yard.

It has been said that the Corporation of Trinity Church are not, in fact, the owners of that part of the said ceme-



tery through which it is proposed to continue Albany-street, inasmuch as the purpose for which the said ground was formerly granted to the Church, having ceased by the discontinuance of interments, the City Corporation have a right to resume it, and that the expense consequently, of opening a street through that ground, would be far less than if the property adjoining the Church Yard were taken in order to widen Thames-street. To what extent the belief of such a fact may have operated on the minds of any of the members of your honorable body the committee do not presume to conjecture, but they deem it to be due to truth and justice to endeavor to remove so erroneous an impression, and to express their hope that those who have formed their judgment under its influence may, in a case so deeply interesting to a large and respectable portion of the inhabitants of the City, be allowed an opportunity to reconsider the subject on its real merits.

In the Memorial presented to your honorable body in behalf of the Vestry, it was not supposed necessary to set forth the title of Trinity Church to the north part of the Church Yard, after a possession of nearly one hundred and thirty years, under a recorded grant from your honorable body. A copy of that grant is annexed to this communication. The condition contained in it that the corporation of Trinity Church should allow interments in the said ground to all the inhabitants of the city, at specified rates, has always been strictly fulfilled on the part of the Church, until it was removed by the act of the grantors, by their Ordinance prohibiting all further interments within any part of the said ground ; by which act, as the Committee are advised and confidently submit, the estate of Trinity Church in that part of the said cemetery was in law rendered absolute and unconditional.

If the Committee are correct in this conclusion, the Church, as lawful owners of the property, will be entitled to ■ compensation for the value of the land within the cemetery, that may be required for the new street, and thus

the argument in favor of this measures, in preference to the widening of Thames-street, arising from the supposed difference of expense, is rendered wholly, or in a great degree, groundless. The Committee cannot believe that the slight deviation from a right line between Albany-street and Broadway, which would be caused by an enlargement of Thames-street, can be deemed by your honorable body a sufficient reason for rejecting that plan of improvement and instead thereof, to break up an ancient cemetery, thereby wounding the feelings of the numerous friends and relatives of those interred therein, and shocking public sentiment in regard to the repose of the dead.

The Committee have also understood that your honorable body have been led to believe that the Vestry of Trinity Church, in remonstrating against the destruction of a part of the Church Yard, were actuated merely by an official sense of duty towards the relatives and friends of those interred in the cemetery, and were otherwise wholly indifferent as to the effect of their remonstrance. The Committee beg leave to state that the feelings and sentiments of the Vestry in this matter, have been misunderstood, and that, although uninfluenced by any personal or pecuniary interest, yet their unanimous opposition to the projected street through the cemetery, was earnest and decided, being grounded on a perfect conviction that such a measure was neither necessary nor expedient, nor justified by a due regard to private feelings or public opinion.

The Committee have further understood that many members of your honorable body, at the time of passing the resolution in question, were under the impression that few of the inhabitants in the lower wards of the city disapproved of the proposed extension of Albany-street through the Church Yard. The Committee, relying on the general grounds of their memorial, to which they beg leave to refer, did not deem it necessary to take any measures to collect and present to your honorable body the opinions of the inhabitants of that part of the city, but they beg leave to



observe that a remonstrance since hastily got up, and with little effort to circulate it, has been signed by above six hundred and fifty respectable citizens, several of whom are free-holders in Pine-street, and was presented to the Board of Assistant Aldermen on Monday last. And the Committee have good reason to believe that if more time had been allowed, it would have been signed by thousands. The Committee beg leave to refer to this remonstrance, and further to state that whatever may be the opinions or wishes of interested owners of stores in particular situations, the Committee are persuaded that the occupants of stores who transact the great mass of the commercial business in the first Ward of the City, would generally prefer the enlargement of Thames-street, to the opening of any new street between Broadway and Greenwich-street, through Trinity Church Yard.

The Committee in behalf of the Vestry of Trinity Church, deem it proper to state what is perfectly well known to persons who have lived in the City during the last forty years, that in all the improvements proposed by the City Corporation in that part of the City in which the land of Trinity Church is situated, the latter have cordially co-operated by gratuitous cessions of ground to widen-streets. The establishment of Hudson Square, the opening of Hudson-street, a spacious avenue through the whole extent of the Church land; the widening of Fulton, Vesey, Barclay, Murray, Warren and Chambers-streets without expense to the public, might be referred to in support of this fact, and to shew that in the management and disposition of their property, Trinity Church has always kept in view the convenience of their fellow-citizens, and the improvement and embellishment of the City.

The Committee confidently trust that in their present application to your honorable body, their motives will not be misunderstood, and that they will be considered as actuated not only by a sense of duty, but by a sincere respect to your honorable body, as guardians of the rights and interests of all the inhabitants of the City.

The Street Committee, to whom was referred the Remonstrance of the Rector, Church Wardens and Vestrymen of Trinity Church in this city, against the opening and extension of Albany-street through the cemetery or burying ground of that church to Broadway,

### RESPECTFULLY REPORT :

That they have examined the subject of opening the above street through Trinity church-yard, with great care and consideration, because it is one of the acts of the late board which has excited much public attention, and its propriety has been much discussed in the public newspapers, and because your committee are opposed to any unnecessary disturbance of the repose of the dead, and think that such disturbance ought only to be made in cases of strong necessity; and in considering this subject, your Committee were bound to notice the fact, that the extension of Albany-street through the church-yard in question, was not petitioned for in the usual manner by persons interested, or claiming to be interested in the supposed improvement, but was introduced upon the suggestion of a member of the late Board; and in considering this question, your Committee also took into their view, that the Corporation of Trinity Church has always manifested a disposition to contribute to the improvement, and even embellishment of the city, for that Corporation, at its own expense, not only widened most of the streets running through their property from Murray-street to Canal-street; but also laid out and improved St. John's Park, one of the largest squares or open grounds in the city, and all the streets opened by them have been ceded to the public, as appears by the public records.

Your Committee further report, that that part of the burying-ground of Trinity church-yard, proposed to be taken for the extension of Albany-street to Broadway, has been used for the interment of our citizens for more than

a century ; that thousands of our fellow-citizens have been deposited within its limits, many of whom have descendants now living in this city, all of whom are opposed to what they consider an unjust and unnecessary violation of the sacred repose of their parents and and ancestors.

The Committee have, however, examined into the propriety of extending Albany-street through the church-yard upon *public* grounds, that is, whether the interest of the public required the extension of Albany-street, as an accommodation to the people, and they have come to the conclusion that they did not, and for the following among other reasons :

1st. There is an old established street (Thames street) within 40 feet of the north line of the burial-ground of Trinity Church, and which street will, after Pine-street is widened on the north side as now proposed, be nearly on a line with Pine-street.

2d. Thames-street may be widened on either side, if the public accommodation should require it, which is not, however, anticipated, at least not for many years yet to come.

3d. The descent along Thames-street to Greenwich-street, is less and will be easier than through the proposed extension of Albany-street, as will be seen by comparing the descent of Rector-street with Thames-street.

4th. If the proposed extension of Albany-street to Broadway should be adopted, it will leave ■ strip or piece of ground (part of the church-yard containing many dead, and many monuments of the dead) varying from eight to twelve or fourteen feet in width, extending from Broadway to Lumber-street, which strip or piece of ground cannot be acquired by the Corporation of this city, under the decision and judgment of the Supreme Court in this case, as the same is not wanted for the use of the public, so that a piece of ground will be left on the north side of the proposed street, which the Corporation of Trinity Church, from respect to public sentiment, and from having received the fees for interment therein, are unwilling to sell or dis-

pose of, which it is apprehended will not only defeat the wishes of such as were disposed to the opening of the proposed street, but will also render it difficult, if not impossible, without great injustice and unnecessary burden, to find sufficient property on which to impose an assessment for the opening of the proposed street.

Under these views of the subject, and to avoid the breaking up and disturbance of an ancient cemetery, without the highest necessity, and without any petition for that purpose, and to avoid leaving a narrow piece of ground, which would remain between the proposed line of Albany-street, and other ground lying on Thames-street, your Committee recommend that the proposed extension of Albany-street through the cemetery of Trinity Church, to Broadway is unnecessary and unadvisable, and that the Counsel of the Board be instructed to discontinue all the proceedings for extending said street through said cemetery.

WM. SAML. JOHNSON,	}	<i>Committee on Streets.</i>
ROBERT SMITH,		
SAML. PURDY,		

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*In the matter of extending Albany-street, in the City of New-York, from Greedwich-street to Broadway.*

Several objections are made to the confirmation of the Report of the Commissioners of Estimate and Assessment.

1. The proposed extension through Trinity Church Yard, is not called for by public necessity.

2. The Report includes a narrow strip of land extending from Broadway to Lumber-street, not required for the proposed new street, nor for for any public purpose. It cannot, therefore, be legally taken from the Corporation of the Church. These objections are made by the Church.

It is objected by others who are assessed for benefit:

1. That the Commissioners adopted an erroneous principle in their assessment in relation to Trinity Church.—

For that when ascertaining the value of the ground take for the street, the Commissioners estimated that value the same as if the Church had a right to use it for building.— But when assessing the residue for benefit, they adopted the principle that it could not be used for building, and therefore it was not benefitted equally with lots which might be used for that purpose.

2. That the assessments for benefit are vastly beyond the amount in which the value of said property will be enhanced by said improvement.

I. As to the first point raised by Trinity Church, that subject is not now before us. The application now is for the confirmation of the Report made by the Commissioners. The Commissioners never decide or act upon the question of the necessity or propriety of the proposed improvement. The Corporation pass upon that question before they apply to this Court for the appointment of Commissioners. If the decision of the Corporation upon that point can be reviewed at all by this Court, it is not to be done upon this motion. The powers given by the statute are very large. Whenever the Mayor, Aldermen, and Commonalty of the City of New-York shall be desirous to open any street, &c. it shall be lawful for them to cause the same to be opened, and the lands that may be required for the purpose of opening the same, may be taken for that purpose, and compensation made. 2 R. L. 1813, 408, § 177.

II. As to the second point made by the Church, the Legislature have undertaken to confer power upon the Commissioners to take more land than is necessary for the street. And their acts in this respect are subject to review upon this motion by the 179th section 2 R. L. p. 416, it is enacted that in all cases where part only of any lot or parcel of land shall be required, if the Commissioners deem it expedient to include the whole lot in their assessment, they shall have power so to do, and the part not wanted for the particular street or improvement, shall, upon the confirmation of the Report, become vested in the Corpora-



tion, who may appropriate the same to public uses, or sell the same in case of no such appropriation.

If this provision was intended merely to give to the Corporation, capacity to take property under such circumstances with the consent of the owner, and then to dispose of the same, there can be no objection to it. But if it is to be taken literally, that the Commissioners shall, against the consent of the owner, take the whole lot when only a part is required for public use, and the residue to be applied to private use, it assumes a power, which, with all respect, the Legislature did not possess. The Constitution, by authorizing the appropriation of private property to public use, impliedly declares that for any other use private property shall not be taken from one, and applied to the private use of another. It is in violation of natural right. If it is not in violation of the letter of the Constitution, it is of its spirit, and cannot be supported. This power has been supposed to be convenient when the greater part of a lot is taken, and only a small part left not required for public use, and that small part of but little value in the hands of the owner. In such case the Corporation have been supposed best qualified to take and dispose of such parcels or gores as they have sometimes been called, and probably this assumption of power has been acquiesced in by the proprietors. I know of no case where the power has been questioned, and where it has received the deliberate sanction of this Court. Suppose a case when only a few feet, or even inches, are wanted to widen a street from one end of a lot, and a valuable building stands upon the other end of such lot, would the power be admitted to exist to take the whole lot, whether the owner consented or not? Or suppose the Commissioners had deemed it expedient and proper, in the language of the statute, to take the whole of the Church Yard, the act would have been equally within the letter of the statute with their act in the present case, and yet no one would suppose that the Legislature ever intended to confer such a power. The quantity of

the residue of any lot cannot vary the principle. The owner may be very unwilling to part with only a few feet, and I hold it equally incompetent for the Legislature thus to dispose of private property, whether feet or acres are the subject of this assumed power.

I am clearly of opinion that the Commissioners have no right to take the strip of land in question, against the consent of the Corporation of Trinity Church. The objections taken by other objectors are also serious obstacles to the confirmation of this Report. The whole of the ground taken for the street, and the part not taken but assessed for benefit, is a Cemetery, and nothing else, and cannot be used for any other purpose by the Church : for such a purpose each rod of ground is of equal value. Why is it, then, that the part taken is considered of more value to the Church, than the part which has been assessed for benefit ? If it be answered that the part taken is no longer to be used as a Cemetery, but for secular purposes, and therefore much more valuable, I would answer, that it has not now that additional value, and cannot have it, while the property of the Church ; and it is the damage sustained by the Church which the Commissioners are to ascertain.

If the property in question ever acquires such enhanced value, it will be in consequence of this proceeding, and of the street's being hereafter closed : upon no other contingency can this ground ever be used for building lots. Can it be right, then, to consider them now as building lots, and assess their value as such to the Church as damages ? If the whole Church Yard was building ground, one half the expense of opening the street through it would be assessed upon the Church, because their property has a front the whole length of the new street. But as it cannot be used for such a purpose, their property is not enhanced in value as it would be under different circumstances, if it is enhanced at all. It seems to me the true rule of estimating the damage, is to appraise the property at its present value to the owner, considering the extent of the



interest which the owner has, and the qualified rights which may be exercised over it. If the Church holds the absolute interest in the Church Yard, and may if they chose convert it all into building lots, then the rule adopted by the Commissioners in their assessment for damage is correct, but then they should apply the same rule in their assessment for benefit. If, on the other hand, the Church, as I suppose, cannot use the Church Yard for any purpose but for burying the dead, then a different rule should be adopted, both as to damage and benefit; but clearly the same rule should be adopted for both assessments, whether for damage or benefit. The next and last ground of objection is, that the assessments upon the adjacent property are too large. Such seems to be the balance of evidence, and when property is not, and cannot be benefited to the extent of amount assessed upon it, it is the duty of this Court to send back the Report, until property can be found sufficiently benefited to defray the expense; or until the proceedings shall be discontinued.

**DOCUMENT NO. 11.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 14, 1834.**

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Communication from his honor, the Mayor, relative to the late riots, &c., accompanied with two Proclamations, issued by the Mayor, on the 11th and 12th of July, 1834.

**R. FISHER, Clerk.**

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*Mayor's Office, New-York, July 14, 1834.*

GENTLEMEN OF THE COMMON COUNCIL,

It becomes my duty to call your attention to a subject deeply affecting the character of this community. The occurrences of the last week, I doubt not, have awakened in your minds, as they have in mine, feelings not only of regret, but of humiliation. That any portion of a community, composed of citizens usually peaceable, orderly, and well disposed, should have thus suddenly thrown aside their respect for the laws, and become participants in scenes of riot and violence, is a circumstance well calculated to arrest the attention of the civil authorities; and to induce them to consider what measures may be necessary to guard the peace of the city, and to protect the rights and property of its inhabitants against similar outrages in future.

The intimate association which I have had informally with the members of the Common Council, their advice

and concurrence in the measures adopted for restoring the public peace, and their consequent acquaintance with the facts, render it unnecessary for me to enter into any minute relation of the various disturbances which have taken place. It affords me satisfaction, however, to be enabled to state, that no life has been lost, nor any serious personal injury sustained. The amount of property destroyed is much less than has been generally apprehended.

In noticing briefly the public acts of the Magistracy, I have to state, that the efforts of the civil authority being found insufficient to preserve the peace, I requested the aid of a portion of General Morton's command on Thursday; this assistance was cheerfully rendered, and proved extensively useful. On the afternoon of Friday, I judged it expedient to issue a Proclamation, enjoining the citizens to refrain from all further violations of the peace. A copy thereof accompanies this communication marked A. On the evening of Friday, a more imposing military force was in attendance, and the united efforts of the civil and military power, it was thought would be sufficient to prevent a recurrence of the disorders. I regret to say that this expectation was disappointed. On the morning of Saturday, I caused to be issued a second Proclamation, (a copy of which is also herewith communicated, marked B.) calling upon the citizens to offer their services, and upon the whole body of the military, to lend their aid in the preservation of the public peace. It was the especial design of the second Proclamation to destroy a delusion which was believed to exist in the minds of the offenders, that the Magistrates did not possess sufficient power to direct an effectual use of the arms of the military.

Great as was the anxiety to put down violence by the peaceful weapons of the law, and to avoid if possible the last resort, yet the determination was early made, and never shaken, to compel at every risk a submission to the laws. The military forces on Friday night were provided with ball cartridges, and were ordered to use them if ne-

nessary, to prevent further commotion. Each detachment was accompanied by one or more of the Civil Magistrates, from whom the officers commanding the troops were to receive instructions in all emergencies.

It gives me sincere pleasure to be enabled to state, that these precautionary measures were sufficient, and that the last two nights have passed without any serious disturbance. I trust that this has been occasioned by a returning sense of duty, on the part of those who have been engaged in these acts of violence. I think proper to state, however, for the satisfaction of the community at large, that the exertions of the authorities will not be relaxed, but that the utmost vigilance will be exercised for the maintenance of the laws.

I should not do justice to my own feelings were I to omit returning my sincere acknowledgments to the individual members of the Common Council, for the able assistance rendered me in the discharge of my duties. Their advice and counsel have been at all times afforded me, and their personal services in leading and directing the civil and military forces, have tended greatly to render the exertions of those bodies efficient. I also feel deeply indebted to the Police Justices, the District Attorney, and other citizens, for the zeal and alacrity which they evinced in the public service.

At a future period, I shall feel it to be my duty to allude in a particular manner to the various Military Corps which have been put in requisition, with the view to a proper appreciation by the authorities and the public, of the valuable services they have rendered.

I have entire confidence that the Common Council will evince a determination, by the adoption of all necessary measures, to assert and maintain the supremacy of the laws, and thereby to restore peace to our city, and tranquility to the public mind; and in all such measures, and in every exigency, I assure you, gentlemen, of my cordial concurrence and co-operation.

C. W. LAWRENCE.

[A.]

## PROCLAMATION,

By CORNELIUS W. LAWRENCE, *Mayor of the City of New-York.*

THE Mayor feels himself compelled by a sense of public duty, to notice the riotous conduct of large numbers of citizens, during the nights of the 9th and 10th instant. However repugnant to the good sense of this community, are the doctrines and measures of a few misguided individuals, on the subject which has led to the existing excitement of the public mind, their conduct affords no justification for popular commotion. The laws are sufficient to restrain whatever is subversive of public morals, and to punish all violations of public decorum. On them alone must the citizen rely; and misjudging and imprudent men, as well as the most temperate and discreet, must be protected in their undoubted rights of person and property.

It is unnecessary to do more than allude to the interruptions of the peace during the last two nights; but there being reason to apprehend that further disorders are contemplated, the Mayor, with the concurrence of the Magistrates of the city, issues this Proclamation, enjoining all good citizens to refrain from mingling with any crowd which may assemble in the streets during the evening; and to use their influence, each within his own proper sphere of action, to prevent such congregations.

Parents, Guardians, and Employers, are called upon to co-operate in the purpose of this recommendation, by guarding with unusual vigilance those under their control, during the continuance of the present excitement.

The Watch, and all Public Officers, are hereby required to be active and prudent in the discharge of their duties.

The Mayor assures the community that the Magistrates have adopted efficient measures to maintain the rights of the Citizens, and to preserve the public peace: and to this



end, they are resolved to exercise with energy, the powers with which they have been entrusted.

Given under my hand, and the Seal of the Mayor [L. S.] of the City of New-York, this eleventh day of July, in the year of our Lord one thousand eight hundred and thirty-four.

CORNELIUS W. LAWRENCE.

[B.]

### PROCLAMATION.

WHEREAS, This city has again been the scene of riotous proceedings disgraceful to a community living under government of laws; and *whereas*, the rights of peaceable citizens have been infringed, and their property destroyed: now, *therefore*,

I, CORNELIUS W. LAWRENCE, Mayor of the City of New-York, do hereby require and command all good citizens to unite in aid of the civil authorities, to put an end to these disreputable occurrences.

I enjoin and request citizens to offer their services, and to receive authority to act as a part of the civil power. I call upon commanding officers of all organized military corps, to volunteer in support of the laws. Commandants will select their own places of rendezvous, and report their numbers and position at the Mayor's Office, by or before 6 o'clock, P. M. this day.

And further, I caution, in the most friendly spirit, all those who, to resent an offensive difference of opinion, have allowed themselves to usurp the authority of the laws, against inciting or abetting further commotion. THE LAWS MUST BE MAINTAINED. Destruction of life must inevitably result from a repetition of similar acts of violence. The Magistrates are governed solely by a desire to preserve the peace of the city, and to protect the lives and property of its inhabitants; and in their endeavours to

effect this end, they will shrink from the exercise of no power placed within their control.

I hereby caution and request all persons who have not reported themselves to me, and been authorized to act in support of the laws, to remain at home during the present excitement.

### **CITIZENS OF NEW-YORK !**

By your respect for the character of the city, and the interest you all have in the preservation of the laws ; by your regard for the safety of your families, and friends, I call upon you to **ASSIST IN KEEPING THE PEACE.**

Given under my hand, and the Seal of the Mayoralty of the City of New-York, at the City Hall, [L. S.] this twelfth day of July, in the year of our Lord one thousand eight hundred and thirty-four.

**CORNELIUS W. LAWRENCE.**







**DOCUMENT NO. 12.**

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**BOARD OF  
ASSISTANT ALDERMEN,  
JULY 14, 1834.**

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The following Law, for the better regulation of Accommodation Stages or Coaches, as passed by the Board of Aldermen, was presented, laid on the table, and directed to be printed for the use of the Members.

**R. FISHER, Clerk.**

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**A LAW**

*For the better regulation of Accommodation Stages or Coaches.*

The Mayor, Aldermen and Commonalty of the City of New York, in common council convened, do ordain as follows :

§ 1. All accommodation stages or coaches which run or ply between any part of the first Ward, and any place or part of the City, lying westerly of the easterly line of Broadway, shall stand at the Bowling Green, in the said 1st Ward.

§ 2. The said stages or coaches mentioned in the preceding section, shall be driven to the said stand through Broadway, and through no other street, and from the said stand through Beaver-street and Broad-street.

§ 3. Such of the said stages as ply or run to and from any part of Broadway north of Canal-street, shall be allowed to stop in Broad-street, near the junction thereof with Wall-street, for three minutes and no longer, to receive passengers ; and shall then proceed to Broadway, through Wall-street, and up Broadway beyond Cedar-street without stopping, and shall not stop at any place south of Canal-street longer than three minutes without the consent of one of the Superintendents.

§ 4. Such of the said stages as ply or run to and from any

part of the City west of Broadway, and north of Canal-street, shall proceed to that part of Nassau-street, between Pine-street and Liberty-street, and shall be allowed to stop on the easterly side of that part of Nassau-street, for three minutes and no longer, to receive passengers, and may then proceed through Liberty-street to Broadway, and shall not stop at any place south of Canal-street longer than three minutes, without the consent of one of the Superintendents.

§ 5. All accommodation stages or coaches which run or ply between any part of the first Ward, and any place or part of the City, lying easterly of the westerly side of the Bowery, shall stand at the Coffee House Slip, or Hanover Square, or Whitehall.

§ 6. The said stages or coaches mentioned in the last preceding section shall be allowed to pass to and from the said stands through any street or streets lying southerly or easterly of Broadway

§ 7. The provisions of title X, of the Law entitled "A Law to regulate hackney coaches and carriages and stage coaches," shall apply to all accommodation stages or coaches at any of the stands mentioned in this Law.

§ 8. There shall be appointed two Assistant Superintendents of stage coaches, each of whom shall receive an annual salary of 500 dollars for his services.

§ 9. It shall be the duty of one of the said assistants to remain at the stand established at the Bowling Green, and of the other to remain at the stand established at Coffee House slip, and to visit Whitehall and Hanover Square, and to exercise the powers and duties at the said stands respectively, which by any Law, Ordinance or Resolution of the Common Council, or by any regulation of the Mayor, are vested in the Superintendent of stage coaches.

§ 10. The Superintendent of stage coaches shall remain at the junction of Broad-street and Wall-street, and between that place and the junction of Liberty-street and Nassau-street, and shall regulate and control the stages or coaches which by this law are allowed to stop and receive passengers at those places respectively.

§ 11. No person shall drive any accommodation stage or coach in the City of New York, unless he be at least twenty-one years of age, and unless he shall have obtained a licence for such purpose from the Mayor, under the penalty of ten dollars for every such offence, to be recovered from the owner of stage or coach and from driver, severally and respectively.

§ 12. The Mayor is hereby authorized to grant such license to drivers of accommodation stages and coaches, on the same terms as licenses are granted by law to drivers of hackney coaches.

§ 13. The number of every accommodation stage or coach, expressed in the license granted or to be granted therefor, shall be painted in legible figures, of at least three inches in length, on each side of such stage or coach, under the penalty of ten dollars, to be recovered from the owner thereof, for every day during which, or during any part of which, such stage or coach may be driven without such number.

§ 14. Every accommodation stage or coach which shall be driven or used in the evening or night, shall have a light on the inside thereof and a lanthorn or transparency, containing a light, on the top thereof, with the number of such stage, as expressed in the license thereof, painted in legible figures of at least three inches in length, on each side of such lanthorn or transparency, under the penalty of ten dollars, to be recovered from the owner of such stage or coach.

§ 15. No accommodation stage or coach shall stop at, or obstruct, any cross-walk in any street, under the penalty of five dollars for every such offence, to be recovered from the owner and driver thereof, severally and respectively.

§ 16. All accommodation stages and coaches shall, in passing through any street, be kept on the right hand thereof, and shall not be driven across any such street, for the purpose of taking in or letting out any passenger, under the penalty of five dollars for every such offence, to be recovered from the owner and driver thereof severally and respectively.

§ 17. No accommodation stage or coach shall be driven through any street in the City of New York, at greater speed than at the rate of five miles in an hour, under the penalty of ten dollars for every such offence, to be recovered from the owner or driver thereof, severally and respectively.

§ 18 In every case of a recovery and receipt of any penalty for the violation of any law, ordinance, or regulation respecting accommodation stages or coaches, the person who shall have given information of the offence, and furnished the requisite proof thereof, except the Superintendent and Street Inspectors, shall be entitled to receive half the amount of such penalty.

§ 19. No accommodation stages or coaches, to be drawn by more than two horses, other than such as may be licensed within two months from the passage of this law, shall be permitted to run or be licensed for that purpose.

§ 20. The Mayor of the City of New York is hereby authorised to hear all complaints against the owners or drivers of accommodation stages or coaches, and to revoke or suspend, for any period which he may think proper, any license granted to such owner or driver.

§ 21. Any Alderman or Assistant Alderman of this City shall possess all the powers now or hereafter conferred on the Superintendent of Stages.

§ 22. If any stage or accommodation coach or carriage shall be allowed to stand for hire or employment in any other street or place, or for any longer time than is specified in this law, or shall take any other route to any stand, the owner or driver thereof shall forfeit and pay for every such offence the sum of ten dollars.

§ 23. No hackney coach or carriage shall, after the passage of this law, be allowed to stand in Broadway around the Bowling Green.

Passed as amended, July 7, 1834.

J. MORTON, *Clerk.*



**DOCUMENT NO. 13.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 21, 1834.**

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Report of the Committee on Charity and the Alms House, on the petition of *the New York Institute for the Blind.*

**R. FISHER, Clerk.**

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The Committee on Charity and the Alms House, to whom was referred so much of the annexed petition of "*The New-York Institution for the Blind,*" as relates to an application for a Donation

**RESPECTFULLY REPORT,**

That the petitioners referred to have three objects, viz : First, to obtain payment for the support and education of the blind persons sent to the Institution from the Alms House for the last year ;—Second, a larger and more definite provision for those now at the Institution, and such as shall hereafter be sent there from the Alms House ; and third, a Donation in aid of the General Funds of the Institution. The first of these subjects has been disposed of by the Common Council on the report of the Finance Committee by the resolutions annexed. The third subject only is referred to this Committee, but ■■ the second

is undisposed of, the Committee have given their attention to it, and hereby Report thereon,

“ The New-York Institution for the Blind, was incorporated by an act of the Legislature, passed April 21st, 1831, and soon thereafter under that Charter entered upon the work of Charity for which it was founded. The Committee class this Institution amongst those, which established by humane and benevolent individuals, and by them managed for the relief of the suffering and unfortunate, are peculiarly the subjects of the patronage of the Corporation of the City. The poor we have always with us, and there is no ground for hope that the numbers of those who are a permanent charge upon the Alms House department, will hereafter be less, but on the contrary, daily experience indicates a rapid increase of the numbers and expenses of that establishment ; sound policy therefore requires of the City authorities to use all their means for the prevention of pauperism by meeting it at its sources. Your Committee know no more certain mode of effecting this object than by education ; to improve the minds of the indigent and unfortunate youth, to raise their pride of character, and by teaching them trades to enable them to earn an honest living. To effect these objects the Institution of the Blind has been formed. The several trades of Weaving, the making of Baskets, grass and rope Mats and Hair Mattresses, are now taught successfully at that Institution, as is also Music upon the Violin, Flute, Piano and Horn. The Institution has now twenty-one pupils, of whom twelve are sent there by the Commissioners of the Alms-House after having become blind at that establishment. The funds of the Institution are as yet derived from the subscriptions of private persons, and the sum of \$500, given by the Corporation, in addition to paying for those who have been sent there from the Alms-House. The House of Assembly of the State, at its late session, passed a bill giving to this Institution \$12,000, but the bill was

negatived in the Senate, as your Committtee are credibly informed, because, amongst other reasons, this City had as yet done so little for the Institution. As the Corporation of the City is, in a pecuniary point of view, deeply interested in its success, your Committee recommend the Institution to its patronage, by the grant of an efficient donation:

As to the application of the petition for a larger and more definite provision for the persons who are or hereafter shall be sent to the Institution by the Commissioners of the Alms-House, the Committee report, That from the facts they have been able to collect, they are of opinion that the expenses of supporting and educating a pupil at the Institution of the Blind, cannot be less than at the Institution of the Deaf and Dumb. That from the year 1822 to 1830, inclusive, the State allowed to the Institution for the Deaf and Dumb \$150 a year for each pupil there at the expense of the State; and since the last-mentioned year, the sum of \$130 for each; and from a comparison of the expenditures of that Institution in 1832, with the number of pupils, which was 87 during that year, it appears that the average expense of each pupil is about \$115, many of whom are not clothed by the Institution; but during the year 1833 the average number of pupils increased to 134, and the average expense of each was reduced below \$95. That the expenses of each individual in a new establishment, [with a few inmates, will be greater than in an old one with many inmates, requires no comment. By a certificate of the Clerk of the Alms-House, it appears that the expense of each pauper at the establishment the last year, was 98 cents a week, which is equal to \$50 96 a year. In the present state and infancy of the Institution for the Blind, your Committee believe that the sum of \$130 (the amount allowed the Institution for the Deaf and Dumb, as above stated,) for each indigent blind person, supported and educated by the Institution for the Blind at the City expense, will be no more than a reasonable compensation.

They recommend the following resolutions for adoption :

*Resolved*, That the sum of                    hundred dollars be granted to "The New-York Institution for the Blind," and that the Comptroller pay the same to the Treasurer thereof.

*Resolved*, That instead of the present provision for the children taken from the Alms-House, and supported and instructed by the New-York Institution for the Blind, that said Institution be placed upon the same footing with the Institution for Instruction of the Deaf and Dumb, by an allowance of one hundred and thirty dollars per annum for each of said children, the same to take effect from the second Tuesday in May last past, and to continue until the first day of May, 1836, when the Law providing for the Deaf and Dumb will expire.

WM. SAML. JOHNSON,	} Committee on	
J. J. BOYD,		} Charity and the
F. A. TALMADGE,		

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*Resolved*, That five hundred dollars be granted to this Institution, (" *Institution for the Blind* ;") that the children educated by this Asylum participate in the School fund ; and that after this year such sums be paid to them for the support of these children, that would be expended in the Alms House in their maintenance.

Adopted by the Board of Aldermen, April 3, 1833.

Adopted by the Board of Asssistants, April 22, 1833.

Approved by the Mayor, April 24, 1833.

J. MORTON, Clerk.

*List of Children sent to Institution of the Blind.*

John Whitley,.....March 15, 1832.  
 Charles O'Conner,.....March 15, 1832.  
 Ann Smith,.....April 15, 1833.  
 Michael McGuire,.....May 1, 1833.  
 Patrick Lane,.....May 1, 1833.  
 Francis La Mouyea,.....May 1, 1833.  
 Michael Henright,.....May 13, 1833.  
 Martin O'Conner,.....May 13, 1833.  
 James Britt,.....May 13, 1833, to Aug. 3, 1833.  
 James Britt,.....January 16, 1834.  
 Joseph Laza,.....January 16, 1834.  
 Catharine Kennady,.....January 16, 1834.  
 J. L. Lefevre,.....February 17, 1834.

I certify that the above is a correct list of names of persons sent from Alms House to Institution for the Blind, and that the cost of each pauper for the last year was at the rate of 98 cents per week.

Respectfully,

E. M. GUION, C. A. H.

SAMUEL AKERLY, M. D. 183 East Broadway.

*To the Honorable the Corporation  
of the City of New-York:*

The petition of the New-York Institution for the Blind,  
**RESPECTFULLY REPRESENTS,**

That a question has arisen as to the proper construction of a Resolution passed by your honorable Body, in the month of April, 1833, in favor of those blind persons received into this Institution from the Alms House. The said Resolution provides "*that after this year such sums be paid to them for the support of their children, that would be expended in the Alms House in their maintenance.*" In order to ascertain the amount of their maintenance in the Alms House, a certificate furnished by the Superintendent, and signed by the Clerk, is hereunto annexed, stating that the average "*cost of each pauper for the last year was at the rate of ninety-eight cents per week,*" equal to \$50 96-100 per annum. The question to be decided is, when shall this provision commence its operation? Whether on the first of January, 1834, or at the beginning of the Corporation year, when the new Board was sworn into office, on the second Tuesday of May, 1833?

The latter construction is the one placed upon the Resolution by your Petitioners, upon the general principle that all laws should be construed favorably and benignly for the objects intended. They have accordingly made out a bill, which is hereunto annexed, and beg an early decision of the Honorable the Corporation, as the wants of the Institution are pressing, and as the Comptroller, feeling unauthorized to decide the question, refers the Petitioners to your Honorable Body.



The Petitioners would also respectfully suggest to your Honorable Body a larger and more definite provision for those indigent blind persons now at the Institution, and such others as may hereafter be received from the Alms House. There are now twelve of the blind taken from that establishment at the Institution for the Blind on the Eighth Avenue, where they have not only been *maintained*, but *clothed, instructed, initiated into some mechanical occupation, and taught vocal and instrumental music*. The provision by the foregoing Resolution, is wholly inadequate for these purposes; and as it is vague and indefinite, your Petitioners pray that after the second Tuesday in May, 1834, other provisions be made. And they would respectfully suggest, that the annual amount for each blind person taken from the Alms House, be not less than \$130, which is now paid for each of eleven deaf and dumb persons in the Institution for Mutes. And they also respectfully ask a donation in consequence of the failure of a direct moneyed appropriation by the Legislature of the State, on which a reliance was placed, as such an appropriation was almost unanimously passed by the Assembly, but was negatived in the Senate, some of the members of that Honorable Body observing that more should be done for this Institution by the City of New-York, before it was patronized by the State. Your Petitioners therefore pray that the Institution for the Blind may be more amply patronized by your Honorable Body, inasmuch as more than half the number now at the Institution were taken from the Alms House, where they lost their sight by the ophthalmia lately prevailing there.

They would also state, that two of the pupils now in the Institution, were taken from the Alms House fourteen months previous to the time charged in the bill annexed; and one other, who died of the Cholera, was also there five months; one other, four weeks, and two of them two weeks each, making a total of thirty-five months, during

which time they were supported, clothed, and instructed, at the expense of the Institution, ■ period nearly equal to three years for one person ; and the said time is not included in the bill, because it was not provided for in the Resolution herein before referred to.

All of which is respectfully submitted in behalf of the "New-York Institution for the Blind," and by order of the Managers thereof.

SAMUEL AKERLY, *President.*

C. BOLTON, *Treasurer.*

New-York, May 26th, 1834.

The Finance Committee, to whom was referred the  
Petition of the Institution for the Blind,

**RESPECTFULLY REPORT,**

That the Institution has presented an account against the Corporation amounting to \$480 39-100 for the maintenance of sundry blind persons taken from the Alms House, in conformity with a Resolution of the Common Council, passed in April, 1833.

A certificate of the Clerk of the Alms House is annexed thereto, of the names of the persons delivered to the Institution, together with dates, and also the cost of each pauper for the previous year. The bill presented conforms to these data, and has not been the subject of any question, except as to the period which was designed by the Common Council as the commencement of the contract.

The Resolution of the Common Council, a certified copy of which will be found herewith, which was adopted by the Board of Aldermen, 3 April, 1833, by the Board of Assistants the 22d, and approved by the Mayor on the 24th of the same month, declares, in substance, "That after this year such sums be paid to the Institution for the Blind for the support of these children as would be expended in the Alms House in their maintenance." At the same time a gratuity of five hundred dollars was conferred on the Institution by the Corporation. Soon after the passage of the Resolution, seven of the children were transferred from the Alms House, two only having been placed in the Institution previously. This fact, and some other verbal information obtained from the Petitioners, has led the Committee to the conclusion that the Common Council intended the next year alluded to in their Resolution, to commence at the time the charter prescribed for their successors entering on the duties of their office, viz. the second Tuesday of May, and not at the beginning of the succeeding calendar year.

The petition also comprises a request for a donation, in consequence of the failure of a direct appropriation which had been anticipated from the Legislature at its last session. Inquiry into the propriety of granting this part of their application, is thought to be more appropriate to another Standing Committee.

The Committee, in conclusion, recommend the adoption of the following resolutions :

*Resolved*, That the bill of the New-York Institution for the Blind, amounting to \$480 39-00 be paid.

*Resolved*, That so much of the annexed petition as relates to an application for a donation, be referred to the Committee on Charity and Alms House.

H. VAN WAGENEN,  
ROBT. C. CORNELL,  
JOHN BOLTON.

The Committee on Finance of the Board of Assistants, to whom was referred the petition of the New-York Institution for the Blind, together with the annexed documents,

#### REPORT,

That they have examined the same, and find that the account, amounting to \$480 39-100, is just and right, and in accordance with former resolutions of the Common Council, and ought to be paid.

They respectfully recommend a concurrence with the two resolutions adopted by the Board of Aldermen on the 9th inst. and herewith annexed with their report.

Respectfully submitted.

30 June, 1834.

LAMBT. SUYDAM,  
WM. SAML. JOHNSON.

**DOCUMENT NO. 14.**

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**BOARD OF  
ASSISTANT ALDERMEN,  
JULY 28, 1834.**

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**Report of the Special Committee on Stage Coaches, by  
John De Lamater.**

**R. FISHER, Clerk.**

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The Special Committee appointed to examine and report on the Law from the Board of Aldermen, for the better regulation of Accommodation Stages or Coaches, have the honor to

**REPORT**

That they have compared the project of a Law with the Law already subsisting. They find that all the provisions of the 7, 11, 12, 13, 14 and 17 sections are precisely those of the Law now in force. The 1st section designates ■ Stand for such of the Stages as run from any part of the city westerly of the easterly side of Broadway. However much of inconvenience this designation may cause, no remedy can be found in the project of Law for it. And an amendment of the Law by the action of the Common Council is the sole relief of those that may be aggrieved. That many of the citizens will be so aggrieved is proved by the Memorials that have been submitted to the Committee. They have deemed it expedient, that a more prompt ac-

tion should be sanctioned: one more in consonance with the sentiments and feelings of the citizens. The 2d section of the project of a Law, would deprive the inhabitants of the Ninth Ward of all the accommodations they now derive from Stages, as it will readily be admitted to be impracticable to drive from any point in Hudson street to the Bowling Green, "through Broadway and *through no other street.*" The 8, 9 and 10 sections limit the duties of superintendants of stages exclusively to the *First Ward*. Your committee believe it to be the duty of officers of the public to act wherever the public interest may require. And they strongly object to such application of general duties, as will confine them to the bounds of the First or any other Ward. Deeming the project of a Law submitted to them highly objectionable, your Committee beg leave to submit, as comprising their views of such change as may be required, "A Law to amend the Law regulating Hackney Coaches and Stages." Should this be adopted they would suggest to the Board, the expediency of having an abstract made of all such parts of the Laws as refer to Stages, for the purpose of putting a copy in the possession of every Proprietor and Driver of a Stage.

JOHN DE LAMATER,  
G. W. BRUEN,  
THOMAS H. WHITE,  
J. J. BOYD.



## A LAW

### *To amend the Law to regulate Hackney Coaches, and Carriages, and Stage Coaches.*

The Mayor, Aldermen and Commonalty of the City of New-York in Common Council convened, do ordain as follows :—

SECTION 1. The Mayor of the City of New-York, for the time being, shall from time to time, issue Licenses under his hand and seal, and may at his pleasure revoke them, to so many persons as he shall think proper, to keep Accommodation Coaches or Stage Coaches. Such Licenses shall specify in each case and for each coach or stage.

The name of the owner.

The number of the Coach or the Stage.

The route to be taken (in going or returning) between the parts of the City for which it may be licensed.

SECTION 2. The Mayor and the Alderman and Assistant Alderman of the Wards, from which the said Coach or Stage shall commence its route and that at which such route may terminate, or a majority of them, shall from time to time designate such stand or place of resort for such Coach or Stage within the respective Wards, as may to them or a majority of them, appear expedient.

SECTION 3. No accommodation Coach or Stage to be drawn by more than two horses, other than such as may be licensed within two months from the passage of this law, shall be permitted to run or be licensed for such purpose.

SECTION 4. Any Alderman or Assistant Alderman of the City shall within the Ward which he or they may represent, possess all the powers now conferred or to be hereafter conferred on the Superintendent of Stages.—

**SECTION 5.** No person shall drive any such Coach or Stage unless he be at least Eighteen years of age, and unless he shall have obtained a license for such purpose from the Mayor, under the penalty of Ten Dollars, for every such offence, to be recovered from the owner of such Coach or Stage, and from such driver, both or either.

**SECTION 6.** The owner of any Coach or Stage driving without license, or taking any other route than that designated by the license, or using any other stand or place than that assigned by license to it, shall in each, or any or every case of such violation of this Ordinance, be subject and held to pay the penalty of Twenty-five Dollars.

**SECTION 7.** No Coach or Stage after the commencement of its route in going or returning shall stop until its arrival at the termination of such route unless an actual necessity shall exist therefor, or to set down a passenger or passengers, or to take up and into such Stage a passenger or passengers claiming to be admitted; no Coach shall in going or returning stop unless by necessity, and no such Coach shall be permitted to stop upon the crosswalk, or take up any passenger or passengers, except upon the right hand side of the way in going and returning in Broadway and Chatham-street, under the penalty of Ten Dollars for each offence.

**SECTION 8.** Any driver of any Hack, Stage Coach or Carriage, who shall be thrice convicted of a breach of any of the sections of this Ordinance shall be deprived of his licence, and forever debarred of a license under this law.

**SECTION 9.** Such parts of Chapter 1. of the Laws and Ordinances of the Mayor, Aldermen and Commonalty of the City of New-York, as are at variance with this, are repealed.

**DOCUMENT NO. 15.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 28, 1834.**

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Report of the Committee of Finance on the communication from Stephen Allen, Esq., relative to the Public Accounts and Finances,—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Finance to whom was referred the annexed communication from Stephen Allen, Esq. on the subject of the Public Accounts and Finances,

**RESPECTFULLY REPORT,**

That they have examined said document with the proper care and respectful consideration due to the worth of its experienced and intelligent author; and they now present the result of their investigation of the subjects thereby committed to them.

In reference to the change made in the Fiscal year, (page 1,) Mr. Allen, says "that the plan adopted, and which "is considered as according with the intention of the "Charter, (is that) of requiring a report of the Cash ac-

“count to be made up to the period when the Common Council elect take their seats.”

Your Committee are of opinion, that the Charter leaves no room for *inference* of its intention in this particular ; because its terms are definite and peremptory—thus, the 4th section of amendments to the Charter requires that “the annual election for Charter Officers shall commence on the second Tuesday in April.” And the 20th section makes it “the duty of the Common Council to publish, two “months before the annual election of Charter Officers in “each year, for the general information of the Citizens of “New York, a full and detailed statement of the receipts and “expenditures of the Corporation, during the year ending “on the first day of the month in which such publication “is made.” And it follows therefore of necessity, that the making up of the annual public accounts cannot be deferred to a period *later* than the first day of February in each year, except in direct contravention of these provisions of the Charter.

Page 2. Mr. Allen, says the “requiring a report of the “cash account to be made up to the period when the “Common Council elect take their seats, and of providing “by proper Ordinances for the annual appropriations, “were new regulations, not having been practised by “previous Councils ; and it was owing in some measure to “the novelty of the case that the passage of the Ordinance making the appropriations for the expenses of the “Fiscal year was delayed nearly three months.” And on page 7, he says, “It does not appear, that the Common “Councils of 1831 and ’32 deemed it obligatory on them to “pass proper Ordinances making annual appropriations “as directed by the 18th section of the revised Charter, “but preferred appropriating occasionally as projects of “expense were agreed upon.”

Your Committee find that the Common Council of 1831, which was the first elected under the amended Charter,

in addition to sundry special appropriations, did, by sundry regularly passed ordinances, make appropriations for the general expenditures of the City for the remainder of the calendar year; that on the 30th December, 1831, the draft of an Ordinance (was presented by the Comptroller) making appropriations, "to meet the disbursements for "the year 1832, amounting to \$1,101,620"—which Ordinance passed both Boards, and received the approval of the Mayor on the 10th of January, 1832, that several of the amounts fell short and the deficiencies were supplied by Ordinances duly completed—which have also been exhibited to your Committee, who have been informed by the Comptroller, that during the year 1832, much informal conversation was held on the subject, and that the prevailing sentiment of the Members seemed (to him) to be, that these appropriations should come more frequently under the notice of the Common Council; and in accordance with such opinion he prepared a draft of an Ordinance for making appropriations "to meet the disbursements for the year 1833, in part"—the amount was \$422,250, and was presumed to be sufficient until about the first of May ensuing, which Ordinance was passed by both Boards and received the sanction of the Mayor on the 9th January, 1833. That to meet the further disbursements of the then current year (1833,) the draft of an Ordinance was prepared and presented on the 15th of April, it was passed by both Boards and received the Mayor's approval on the 24th of April, 1833; it was for \$610,900, and calculated to suffice until the first of August following or thereabouts; these Ordinances also have been shewn to your committee; from all which, they conclude that the novelty of the case and cause of the delay spoken of, is to be found *chiefly* in the change of period proposed by the said Ordinance, viz: from the Calendar year to the political year of the Common Council. Your Committee are of opinion further, that the foregoing facts



must have entirely escaped the scrutiny of Mr. Allen, or he could not have been led to make the remarks last quoted from his communication.

Page 2. Mr. Allen says, "the reasons offered for the making up of the cash account on the first day of January, instead of presenting it to the Common Council on their organization as had been the practice from time immemorial, prior to the year 1830—is, that 'the amendment of the Charter results almost in the designation of the calendar year as the period for which the public accounts are to be made up and published.'"

Now, although it seems to your Committee that the only inference fairly deducible therefrom, is, that the making up of the public accounts for the calendar year, commenced with the year 1830, yet they cannot believe such was the intention of the writer, because it is not in accordance with the facts of the case; which are briefly as follows: the time of organizing the Common Council has changed with the change of time for holding the Charter elections; as far back ■ 1812, the accounts were made up for the calendar year; by the act of April 11th, 1815, the Members elect were to take their seats on the second Monday of May; the accounts were then made up to the second Monday in May of each year, until, and including the second Monday of May, 1822. By the act of April 16th, 1822, the Members elect were to take their seats on the last Monday of December, in each year. The period for making up the accounts, then returned to the calendar year, and continued to be presented to the Common Council as soon as practicable after their organization, up to the year 1830, when the Charter was amended, again changing the political year of the Common Council; and the time for making up and presenting the annual accounts to the Common Council, would doubtless have *again returned* to the political year from *May to May*, had it not been for the express and peremptory provision of the 20th



section of amendments to the Charter, which requires them to be published *two months previous to the Charter election*, made up to the first day of the month in which the publication is made ; or, in other words, not *later* than the first day of February in each year.

Page 3. Mr. Allen, says " The publication directed by " the 20th section of the amended Charter must be made " two months before the election of Charter Officers, and " as the Charter elections are held on the second Tuesday " in April, the date of the publication will be about the " middle of February, or six weeks after the time chosen " by the Comptroller for presenting the cash account to " the Common Council."

Now, it seems to your Committee, that Mr. Allen could not have adverted to the fact, that the time for publication is designated by the day of the week, and the time for closing the accounts is pointed out by the day of the month, or he would have said something of the effect of these provisions ; which is, that whenever the first *Tuesday* comes on the *first day* of February, the publication would be required on the eighth day of February, thereby leaving a time as your Committee think entirely insufficient to prepare and publish " a full and detailed statement " as required by the Charter ; which last is the true reason for going back to the 1st of January ; but says Mr. Allen, (page 3.) " The printing of a pamphlet however, of between fifty and sixty pages, as has been the practice in " the cases alluded to, (meaning those from 1830) is not " the publication intended by the Statute," the evident intention of the Statute is, that the electors of the City shall be put into possession of the information ordered to be published ; and it is out of the question to suppose, that any other mode of publication will convey the required information, except that made through the public papers. Again (on page 4,) he says, " Now although the law requires a full and detailed statement to " be published, these words ought not in the opinion of the

“ subscriber, to be construed as embracing more than the  
“ amount under each head of expenditure and receipt,  
“ &c. &c.” Now, if shewing merely the aggregate of receipts and expenditures under each head of account, be a fulfillment of the law, your Committee are utterly at a loss to know what is meant by “ *a full and detailed statement* ;” and they find themselves constrained to say, that they think it a construction of the law in direct opposition to the obvious import of the words employed in its formation. That the Charter should call for “ *a full and detailed statement* ” (or in other words the items) of an account, which involves days of labor to prepare, when *only* the aggregates are wanted, and which could be furnished in a few hours, is to the minds of your Committee entirely inconceivable. By reference to the published accounts of 1831, 1832 and 1833, it will be found that the first statement in each, contains the aggregate only under the several heads of account ; then follow the details under each head ; and your committee are informed by the Comptroller that it has been the practice to furnish the daily morning and evening papers with a copy of those statements immediately after they were issued from the press ; and that since the Charter was amended a number of copies has been printed for gratuitous distribution, which has proved more than sufficient to supply all who have felt sufficient interest or curiosity to apply for them : so that as yet, there has been no good reason for any citizen lacking information as to the public expenditures, as your committee are inclined to believe from the foregoing facts.

Page 5. Mr. Allen says, “ The Comptroller of this  
“ State is required to exhibit to the Legislature at its  
“ annual meeting, a complete statement of the funds of  
“ the State and its revenues, and of the public expenditure during the preceding year, with a detailed estimate  
“ of the expenditures to be defrayed from the Treasury  
“ for the ensuing year.” He then runs a parallel between

the State and City governments, and infers, that, "each  
" Common Council must therefore be informed of the state  
" of the finances, in order that they may by proper ordi-  
" nances, provide for the necessary disbursements."

Your committee do not consider themselves called upon to examine the points of resemblance between the State and City governments. They think it sufficient to remark, that where the provisions of the city charter are express and peremptory; they are to be rigidly carried into effect, if practicable; and where there is latitude given, or room left for construction, the reasonableness and fitness of things, is the rule which should be applied to determine the intention of the instrument. For example: The charter as effectually designates the 1st day of February as the *latest* period to which the making up of the annual accounts can be deferred, as if it had declared that day in express terms; but it does not prohibit the performance of that duty *previous* to that day. Now, if the Common Council fix upon the 1st day of February as the date to which those accounts shall be made up, it must so happen (as has been before observed,) that every few years a time will be allowed to prepare and publish the statement required by the charter, which if not entirely inadequate, will (with the other business of the Comptroller's department, which must necessarily be carried on,) prove so exceedingly inconvenient as to render it expedient to avail of the latitude allowed by the charter, and take more time by going back to the month of January; and if so, it is clear that it must be to the *first* day, in accordance with the express directions of the charter, as contained in the 20th Section before recited. Those reasons, and the necessity for uniformity in the term for which said accounts are to be made, appear to have led to the adoption of the calender year as the proper time; which has been sanctioned by all but our *immediate* predecessors; and it is a measure in which your committee are much more disposed to acquiesce, than

to incur the risk of an absolute non-compliance with the charter, by delaying the required publication beyond the second Tuesday of February. From the general tenor of Mr. Allen's communication and his use of the terms "to provide for the annual appropriations," and "to provide for the necessary disbursements," it might be inferred that he intended thereby, the "ways and means to defray the expences of the city." This, however, cannot be the case, because it would be at variance with the fact, well known to Mr. Allen, viz: that the preceding Common Council has made this provision for the present, and the present Common Council must do the like for their successors, by obtaining from the Legislature of the State, the authority to raise by tax the amount estimated as necessary; and such must continue to be the course of things so long as it shall remain necessary to make annual applications for State authority to tax the city for its own expences. The sessions of the Legislature commence annually on the first Tuesday of January; and in order to avoid the necessity for extra exertions to have the annual Tax Law passed, it is desirable that the application therefor should be presented in all the month of January, or early in February. Preparatory thereto, it is necessary that an estimate should be made of the probable receipts and expenditures for the year—so that some reasonable conclusion may be formed as to the probable amount to be raised by taxation. Now, when the Common Council have acted on these estimates and decided upon the amount for which they will ask authority to raise by tax, *then*, it seems to your committee, would be the time more peculiarly appropriate than any other for passing an ordinance making the annual appropriations. Such ordinances would then be passed upon by the members of the Common Council under the advantage of about eight months experience; whereas by the proposed change they would be called upon to make those appropriations immediately after

coming into office, and without the benefit of any experience in very many instances, arising from the number of new members annually elected.

A prominent feature in the objections of Mr. Allen to the calendar year, is, that the accounts present the expenditure in part of two different councils or sets of individuals, and do not shew distinctly the disbursements of either for their whole time ; this is undoubtedly true, but it is equally true, that it results by uncontrollable necessity from the provisions of the charter, and however plausible or strong may be the objections thereto, it is a state of things not to be avoided in the annual accounts, as the same are required by the charter. It seems to your committee, however, that the difficulty raised is rather imaginary than real, inasmuch as the accounts can never be so blended, but that the Common Council meriting peculiar praise or censure can be designated, (which appears to be a favorite object with Mr. Allen,) and that on a very short enquiry ; and it is barely possible that there ever will be wanting, persons both able and willing to perform the task, at least of fixing censure ; and particularly about the period for the annual charter elections. The objection raised, that the new Common Council is not put in possession of the information, indispensable to an intelligent and proper application of the funds committed to their trust, can be very easily obviated, by making it the duty of the Comptroller to report to the new boards as soon as practicable after their organization, such information as may be either needful or expedient.

In the opinion of your committee all needful examination has now been given to the document referred to them ; and they think that such facts and reasonings have been set forth by them, as are sufficient to satisfy the board that Mr. Allen's impressions relative to some facts have been erroneous, and that the plan proposed by him would neither effect the object contemplated, nor be consistent



with ■ due regard to regularity in conformity with the provisions of the present charter. They therefore pray to be discharged from the further consideration of Mr. Allen's communication.

LAMBERT SUYDAM, } *Committee on Finance.*  
J. J. BOYD, } *Board of Assistants.*  
WM. SAML. JOHNSON, }

New-York, July 28th, 1834.



*To the Honorable the Board of Assistant Aldermen, of the  
City of New-York :*

The subscriber begs leave respectfully to state, that he had the privilege of moving in the late Board of Assistants, of which he was then a member, the following resolution, which was adopted.

“ *Resolved*, That the Comptroller prepare and lay before this board, on the 12th day of May next, if it shall then be in session, a statement of his cash account for the fiscal year of this Common Council, commencing on the second Tuesday in May, 1833, and ending on the second Tuesday in May, 1834, or as near that day as practicable, with an exhibition of the expenditures under each head, compared with the appropriations made by ordinance for the same.”

It appears, however, that the Comptroller was unable to prepare a report in time to be laid before the then board of Assistants, and consequently, that no action of that board was had on the subject. This circumstance is the only apology the subscriber has to offer for troubling your honorable body with the following remarks.

The report of the Comptroller, made in pursuance of the foregoing resolution, on the 19th of May, 1834, shows a considerable excess of payments more than the appropriations. The Comptroller has offered some explanations of the cause of this excess, to which may be added, that the plan adopted, and which is considered as according with the intention of the charter, of requiring a report of the cash account to be made up to the period when the Common Council elect take their seats, and of providing by proper ordinances for the annual appropriations, were new regulations, not having been practiced by previous Councils ; and it was owing, in some measure to the novelty of the case that the passage of the ordinance making the appro-

priations for the expenses of the fiscal year was delayed nearly three months, when it ought to have been passed at the second or third meetings of the new boards. The plan, however, in the opinion of the subscriber, is an improvement on that which had previously been adopted, and tends to carry out the principles of the amended charter, the whole scope and object of which is, to establish wholesome checks upon every department of the city government; and I hope it may be pursued by the present Common Council, at least until it shall be proved to work injuriously instead of beneficially to the management of the city finances. I was sorry to observe therefore, by ■ report from that valuable officer, the present Comptroller, made to your honorable board in pursuance of the ordinance, an expression of doubt on this subject, whether any adequate benefit can be derived from the change of making up the cash account to the period when the new board is organized, instead of the first day of January in each year.

The reasons offered for the making up of the cash account on the first day of January, instead of presenting it to the Common Council on their organization, ■■ had been the practice for time immemorial, prior to the year 1830, is, that "the amendment of the charter results almost in the designation of the calendar year as the period for which the public accounts are to be made up and published;" and the Comptroller submits for consideration, "whether any adequate benefit can be derived from the change, and whether its tendency will not be to obscure rather than simplify the public accounts."

The publication directed by the 20th section of the amended charter, must be made two months before the election of charter officers, and as the charter elections are held on the second Tuesday in April, the date of publication will be about the middle of February, or six weeks after the time chosen by the Comptroller for presenting the

cash account to the Common Council. The direction of the statute is, that this statement shall be published. The printing of a pamphlet, however, of between fifty and sixty pages, as has been the practice in the cases alluded to, is not the publication intended by the statute, which declares, that it shall be the duty of the Common Council, two weeks before the annual election of charter officers, to publish for the general information of the citizens of New-York, a full and detailed statement of the receipts and expenditures, &c. The evident intention of the statute is, that the electors of the city shall be put into possession of the information ordered to be published, and it is out of the question to suppose, that any other mode of publication will convey the required information, except that made through the public papers. It is not a publication intended for the information of the Common Council, to which end it has been applied, but for the information of their constituents; and it is a well known fact, that not more than one out of a thousand of them are put into possession of it by the means which has been adopted. Now, although the law requires a full and detailed statement to be published, these words ought not, in the opinion of the subscriber, be construed as embracing more than the amount under each head of expenditure and receipt; the sum appropriated and expended on each object, and the sum borrowed with the items of the loan, all of which might be compressed in a space that would not occupy more than one or two columns of a newspaper, and thus give all the information required to enable the electors to judge whether the city funds had been legally expended, or not.

The information required by the Common Council, although in part the same as that alluded to above, is for other purposes than that required by the electors. It is proper they should know the situation of the finances at the time of commencing the performance of their duty.

This is the practice of every legislature body, both general and local, and has been the practice of the common council of this city through every change which has occurred down to 1830. The Comptroller of this State is required to exhibit to the legislature, at its annual meeting, a complete statement of the funds of the state and its revenues, and of the public expenditure during the preceding year, with a detailed estimate of the expenditures to be defrayed from the treasury, for the ensuing year.

Each and every Common Council coming into office on the second Tuesday in May, is a separate and distinct body from their predecessors, as much so as the Legislature of this State coming into office on the first Tuesday in January is distinct from that which preceded it; and an ordinance or resolution passed by one board before going out of office, and afterwards by a different board which has come into office at the time the other had gone out, cannot be considered as an act of the Common Council. Each Common Council must therefore be informed of the state of the finances in order that they may, by proper ordinances, provide for the necessary disbursements. Instead of which by the method now or very lately in practice, the present council for instance, would be carried back to the first day of January, when the last finance report from the Comptroller was presented, which gives them no knowledge of the transactions of nearly five months of the political year of their predecessors.

The disbursements of the Common Council are strictly confined to the income of their political year, for by the 19th section of the amended charter they are forbid to borrow, except in anticipation of that income, or until they are authorised by a special act of the Legislature. How then is it possible to fulfill this provision of the law except by the possession of a knowledge of this income, and peradventure, when in any case, it shall be exhausted?

The object of the provision of the 19th section undoubtedly was, to restrain the Common Council from exceeding their income by their annual expenses; and the provision of the 18th section of the act tends to the same point, declaring that annual and occasional appropriations shall be made, by proper ordinances, for every branch and object of City expenditure, &c. In conducting the finances of a government, whether it be general or local, the principle of estimating the receipts, certain and probable, always precedes the appropriations to satisfy the necessary disbursements; and although exactness in the estimate of receipts and expenses is not attainable, it is sufficiently so, to avoid any material excess in either. It would appear to follow them, as indispensable, that the Common Council should, uniformly, be furnished, at as early a day after their organization as practicable, with an estimate of the receipts and disbursements for the year ensuing in order that they may know what their probable revenues will be; for without such knowledge, how are they to judge of the amount they may be authorised to borrow, they being restricted in this particular to the amount of the income of the year? And unless they have a pretty accurate knowledge of the amount of resources, how can they appropriate, by proper ordinances, the necessary sum to each branch of expenditure?

It does not appear, that, the Common Councils of 1831 and '32, deemed it obligatory on them to pass proper ordinances making the annual appropriations, as directed by the 18th section of the revised charter, but preferred appropriating occasionally as projects of expense were agreed upon. Thus it will be seen by a reference to the cash account for 1832, that under several of the heads of expense, there were from five to ten separate appropriations made, and that the appropriations in the aggregate exceeded the expenditure by \$206,723 48. In making these appropriations, no reference appears to have been



had to the actual income or means of the Treasury to meet them, for while they were thus bountifully providing by resolutions for the expense of the projects ordered, their Treasury must have been empty, they having borrowed that year, on the credit of the corporation, \$295,400 more than their income, the public debt in that year having been increased that amount.

I am therefore of the opinion, that in accordance with the provisions of the revised charter, and immemorial usage, a detailed statement of the fiscal concerns of the Corporation should be laid before the Common Council at their first meeting after qualifying, or as soon thereafter as practicable. That in addition to the facts usually communicated, the Comptroller should lay before the Common Council an estimated calculation of the probable receipts and disbursements of the political year, together with an ordinance making the necessary appropriations for the expenses under each head of account. That the consideration of this ordinance should be the earliest business of the two boards; and that in the interim, the Comptroller should be authorised to make such payments as are indispensable, in anticipation of the appropriations. The several appropriations when fixed, should be carried to the credit of the proper heads of accounts, and no additional appropriation should be permitted for any of the heads of accounts, until the original appropriation was exhausted, of which event the Common Council should be forthwith informed. It is to be presumed, that in no case, the sums appropriated in the aggregate will exceed the revenue of the year, as the Common Council are not authorised to borrow exceeding that revenue; but, it might be proper, as occasion required, to transfer any part of an appropriation, not required for the particular object for which it was made, to another which had fallen short.

But, it has been asked by the Comptroller, will any



adequate benefit be derived from the change, and will it not tend to obscure rather than simplify the public accounts?

The Members of the Common Council are elected to serve from the second Monday in May of one year to the second Monday in May in the following year. An important duty with which they are charged is, to prevent an infringement of the Statute they are sworn to support; and also, that, as Trustees of the City Finances, no part of them shall be illegally or improperly disbursed. In order therefore, that they may be enabled to prevent a violation of the Law, by expending more than the revenues of the year for which they are elected to serve, it is necessary they should know what that revenue is; and in order that this revenue should be applied to proper objects, it is incumbent they should pass an Ordinance appropriating it properly. By the custom however, a report is made on the first day of January designating the receipts and expenditures of one Common Council, from the previous January to May, and of another from May to January, or of about seven months of the term of service of the first, and of about five months of the second. The Members in office when this document is presented, are placed in possession of the cash transactions for about five months of their term; but those who succeed them, and take their seats on the second Tuesday in May thereafter, can gain no knowledge from this document, what is the amount of money in the Treasury, or what are the resources to meet the current or extraordinary expenses of the year for which they have been chosen. The advantages of the change in the time of presenting the Comptroller's report, and in the matter of which it will be composed must appear obvious to every Member of the Common Council, as without this change, it is morally impossible that they should act understandingly in many of the votes they may be called on to give requiring a draft on the Treasury to carry the matter into effect.

How this change will tend to obscure rather than simplify the public accounts, I am unable to perceive. There is no more obscurity in an account footed and closed on the second Tuesday of May in one year, than when the same act is done on the first day of January ; and surely, the laying before the Members of the Common Council the information how much money is left in the Treasury by their predecessors, the probable amount of the receipts of the year from rents, taxes, &c., and the estimated amount of the disbursements, which information was not communicated in the January reports, will not be urged as having a tendency to obscure the public accounts.

The only objection that can be urged against the change alluded to, in my opinion is, the additional labor saved by making the statement directed to be published two months before the election, answer for the one to be laid before the Common Council ; and the necessary payments to the Watch, Street Inspectors, &c., usually made every two weeks, and which may be required before the Ordinance making the proper appropriations for the objects, can be passed. The first may, in a measure, be obviated, by abridging the items ; and the second, by authorising the Comptroller to make the indispensable payments in anticipation of the appropriations.

This communication has been extended far beyond what was anticipated at its commencement ; and the only apology I can offer for thus intruding my opinions on the attention of the board is, the agency I had, as one of the convention, in revising the Charter, and an anxious wish that the beneficial effects of that revision may not be lost to the public.

All which is respectfully submitted,

STEPHEN ALLEN.

**DOCUMENT NO. 16.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JULY 28, 1834.**

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The following Communications from his Honor the Mayor, being produced and read, were ordered to be printed and filed.

**R. FISHER, Clerk.**

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**MAYOR'S OFFICE, }  
New-York, July 28th, 1834. }**

*Gentlemen of the Common Council,*

I herewith transmit a copy of ■  
Communication addressed to the Major General of the  
the Division of Artillery, returning the acknowledgments  
of the Municipal Authorities for the services rendered by  
the Military during the recent interruptions of the public  
peace. I have thought it due to the Common Council to  
submit the same for their approbation.

In addition to the regularly organised Military Corps,  
whose services were put in requisition on the occasion re-  
ferred to, a large number of Citizens voluntarily enrolled  
themselves and tendered their aid in support of the civil  
authorities. These, to the number of many hundreds, as-  
sembled at different places of rendezvous, and by the at-

tention, and alacrity they evinced, gave assurance of the value of their services should a necessity arise for their exercise. The great number of individuals thus associated, (being ■■ nearly as I can estimate between fifteen hundred and two thousand,) renders it impracticable for me to communicate the names. I can therefore only in this general manner avow my sense of the laudable public spirit which induced them to answer the call of the Magistracy, and to lend their assistance in maintaining the laws.

I have further to thank the gentlemen who volunteered to act as special aids at the Mayor's Office. Several of the gentlemen referred to were actively engaged during the larger part of three successive nights, and are deserving of the public approbation for the zealous discharge of their duties.

However unpleasant ■ recurrence to the recent disturbances may be to the authorities and the public, I should, nevertheless, have felt that I had not properly discharged my duty without making these Communications.

C. W. LAWRENCE.

MAYOR'S OFFICE, }  
New-York, July 28th, 1834. }

To Major Gen. JACOB MORTON,

*Commanding First Division N. Y. State Artillery.*

DEAR SIR,—Having recently had occasion, as the organ of the Municipal Authorities, to call upon the citizen soldiers acting under your orders for assistance to preserve the public peace, it becomes my duty—and it is one I discharge with great pleasure, to return the acknowledgments of those I represent, and my own, for the cheerful alacrity with which the call was answered.

It is fortunately a rare circumstance in the history of our City government, that a necessity has existed for Military aid in strengthening the arm of the civil authority. Our community is one that for a long series of years has enjoyed reputation for order, propriety of demeanor, and a just deference for the laws ; and every good citizen must regret that under any state of excitement such a disposition should be evinced as must derogate from this character. It will however be a source of confident satisfaction to know, that whenever the peaceful energies of the laws are insufficient to protect the rights and property of the citizen from the effects of internal commotion, or whenever the foot of a foreign foe shall invade our soil, there is under our form of government a power adequate to every emergency, and one so constituted that its existence and its exercise can never endanger the liberties of the people.

Although the circumstances which marked the continued outrages, on the occasion alluded to, were such as imperatively required of the Magistrates to issue their instruc-



tions for an effectual use of the deadly weapons, yet it cannot but be a deeply gratifying reflection that the service required of the Military was so judiciously performed as to accomplish its object without the shedding of blood. I rejoice that the determination of the Magistrates on this subject became extensively known, as it tended to destroy the dangerous delusion which prevailed in the minds of many persons, that the Civil Authority is without the requisite power to make an efficient use of the Arms of the Militia.

It will hardly be expected that I should be sufficiently acquainted with the various Corps on duty during the late riots, to enable me to particularise the services performed by each ; and were it otherwise, the task would be invidious where all evinced an emulous desire to be useful. In the prominent instances, however, where the duty was performed under my own observation, it may be proper for me to speak of the meritorious conduct of those engaged.

The Troops of Horse commanded by Captains White and Phillips, and a portion of the Infantry of the Third Regiment, the whole under the command of Col. George P. Morris, together with a squadron from the Regiment of Horse Artillery commanded by Colonel Henry Storms, were on duty the first evening and throughout the night. To these Officers, and those under their command, great praise is due for their correct soldierly deportment, and for the skill and decision they exhibited in the discharge of their duties. On the succeeding night, a larger force was deemed necessary, and the Regiment of National Guards, commanded by Colonel Stevens, was put in requisition. A portion of the two Regiments before named, and several unattached Corps, were also ordered out. I consider the conduct of these troops as deserving of great commendation. The National Guards were charged with the duty of removing the rioters from a section of the City where the most violent outrages had been committed,



and in the performance of this service, while assailed with the Missiles of the Mob, evinced a forbearance commendable in the Citizen, united with the determination which belongs to the character of the Soldier. On the same evening the services of the Infantry commanded by Brigadier General Lloyd were tendered and accepted, and a portion of his Brigade remained on duty during that and the following night. Although General Lloyd is not attached to the Division of Artillery, he avowed his perfect readiness to act under the orders of its Major General, and I deem it not improper therefore to include his Corps in this Communication. The same remark will apply to all the other Officers of the Infantry. The services of the veteran Corps of Artillery commanded by Captain Chapman were early offered, and that Company was in readiness to discharge any duty required of it.

To Brigadier Generals Sandford and Hunt, Colonels Lefferts, Waldron, Mumford, Ming, and Mapes, and also to Colonel Jackson, Majors Wetmore and Elliott, and the other Members of the Division Staff, I feel indebted for the efficient services they rendered. I must also through this medium make known my appreciation of the tender of personal services made by Major General Fleming, Brigadier General Jones, and several other Officers of rank.

To Lieutenant Colonel Andrew Warner, my thanks are especially due for his indefatigable attention, and able assistance, in the preparation of the detail and arrangement in my office connected with this subject.

In conclusion Sir, while requesting of you to supply my deficiencies, and to make known to the Officers of all the various Corps the just estimation, in which their services are held, permit me to say that to none more than to yourself are due the acknowledgements of the authorities for assistance in an unpleasant emergency. I may be pardoned at such a time for referring to your long and

valuable services in the Militia, and to the spirit you evince on all occasions of public interest, as presenting undeniable claims upon the respect and confidence of your fellow citizens.

Accept with my best wishes for your future prosperity and happiness, the assurance of the sincere respect and regard,

With which I am

Your obedient servant,

C. W. LAWRENCE.





**DOCUMENT NO. 17.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**AUGUST 6, 1834.**

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Report of the Street Committee on the Petition of E. Holbrook and others, for the widening of William Street from Wall Street to Maiden Lane.

**R. FISHER, Clerk.**

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The Street Committee of the Board of Assistants, to whom was referred the annexed Petition of E. Holbrook and others, for the widening of William Street from Wall Street to Maiden Lane; and also several remonstrances against that measure hereto annexed,

**RESPECTFULLY REPORT,**

That the Street Commissioner has given the public notice of this application required by Sec. 12 of Tit. 2 of Chap. 5, of the laws of the City. That the Committee have been attended by very many of the petitioners, and of the remonstrants, and heard them fully on the matter referred to them; and have also sought extensively for information from other sources, and given to the facts and allegations thus obtained their most deliberate consideration.

The Petitioners limit their application to the widening

of William Street, from Wall Street to Maiden Lane ; and pray that it may be done by taking so much land from the westerly side, as will make the Street forty feet wide from Wall to Cedar Street ; and from thence in a straight line to Maiden Lane, so as to make the Street at the corner of Maiden Lane and William Streets 45 feet wide. They also pray for the graduating of the same.

The Committee early discovered that the improvement asked for by the Petitioners, is but part of a much more extended one in contemplation, reaching through to Frankfort Street, and thence continuing William Street in a straight line to Chatham Street : And that the application for the part of it from Wall to Chatham Street was already in the course of preparation ; with an intention of leaving the middle section of the Street from Maiden Lane to Beekman Street, at a future day, to abide the fate of the two extremes. Your Committee therefore deemed it their duty, not only to consider the subject of the petition as a local or sectional measure, principally affecting the interests of individuals, but also as one of a public nature, effecting the City at large.

In respect to the limited subject of the Petition, the Committee were attended by many of the owners and lessees of land on William-street, between Wall and Maiden Lane, and others, likely to be effected by an assessment. Those in favor of the measure claim that the increase of business, calls for an increase of ware houses for wholesale or jobbing merchants. That in the gradual spread of that business, and course of things, this section of William-street, is next most likely to be called for and occupied. That they are owners of land on this section of the street, and desirous of erecting large and valuable warehouses upon the land ; that all the lots, on both sides of the street, will be greatly enhanced in value by the widening ; that at present a great portion of the buildings are but of little value, and that the expense of opening



the street will therefore be comparatively light ; that the street is not now of sufficient width for a business street, being but 34 feet 11 inches wide at Wall-street, 30 feet 2 inches at the southerly line, and 32 feet 7 inches at the northerly line of Pine-street ; 36 feet 10 inches at the southerly, and 37 feet 7 inches at the northerly line of Cedar-street ; about 40 feet at Liberty-street, and 33 feet at Maiden Lane. Further, that nothing less than 40 feet is a comfortable width for a business street ; and that it ought to be 45 feet in width ; that the distance between the curb-stones between Wall and Pine-streets is but 15 feet 6 inches, and at Maiden-Lane but 14 feet 4 inches, leaving but 8 inches between the hubs of two passing carts ; that the length of a cart from the spot where the wheels strike the curb, on being backed up to it, to the end of the shafts, is 12 feet 5 inches, so that a horse and cart in that position, stops all passing through the street. The Petitioners also urge that William-street is one of the avenues of communication with Wall-street most used, particularly by persons on foot : that the side-walks are inconveniently narrow for even the present passing upon them ; and that the street ought to be widened and carried through to Chatham-street, thereby to furnish a great avenue to the upper parts of the city, not only for persons on foot, but for carriages and carts.

On the contrary, those who are opposed to the plan of widening the street, as proposed by the Petition, aver, That for the purposes of a jobbing business the street is sufficiently capacious at present ; and in fact is of a width more convenient and more agreeable to merchants, than one of the proposed width. They refer to Pine-street in proof of the position, and to the large amount of business done in that street between William and Pearl-streets ; and aver, that widening the street to a width sufficient to make it a convenient and general thoroughfare, would destroy its business character as a jobbing or wholesale

street, and adapt it only to a retail business, or a street for dwellings. They admit, however, that Pine street, between William and Pearl-streets, is inconveniently narrow, being but 31 feet 7 inches wide at William-street, and 24 feet 1 inch at Pearl-street, though they claim that its width between William and Nassau-streets, which is 36 feet 3 inches, is ample. They also express the opinion, that the value of the benefits likely to be conferred by the proposed improvement, will not be equal to the damages occasioned thereby.

All the parties who appeared before the Committee, seemed to unite in the opinion that an additional avenue between the upper and lower parts of the city is very much wanted, both for the relief of Broadway, and for the convenience of the inhabitants of the upper and eastern section of the city, and that William-street is its proper location. But the opponents of the proposed measure contended, that if William-street is to be made such an avenue, with the object of taking from Broadway any considerable portion of the crowds that now encumber it, the plan of widening it to 40 or 45 feet would not effect the object, and that nothing less than 60 feet of width, will afford the requisite facilities of intercommunication.

As it respects the amount of interest in the land liable to be affected by the proposed improvement, as represented by the respective opposing parties, the Committee are of opinion, that they are nearly balanced, or at least so near so, that the question of improving the street becomes one strictly within the discretion vested in the Common Council by law, to be exercised upon enlarged grounds for the public good. What then is the proper action for the Common Council to take on this application?

It has been observed, that the owners of land on, and adjoining to William-street, and likely to be effected by the improvement, opposed to each other, on this question, are about equal in point of interest; that they hold oppo-

site sentiments in respect to the adequacy of the present width of the street for business purposes ; but all seem to agree, that an additional avenue from the northern and eastern parts of the town to Wall-street, is much needed, and that William-street should be made that avenue.

It ought not, in the opinion of the Committee, to be forgotten, that the lower part of William-street, from Maiden Lane southwardly has been subject to six or seven assessments, for as many different improvements, in the last six years, and that as a consequence of the projecting and executing of those improvements, the property in that neighborhood has for a still greater length of time been of no certain or settled value, and must remain in such a state until decisive measures are taken in respect to its future character ; how far it may be the duty of the Common Council to preserve the peace of neighborhoods, and settle the value of property in this respect, is respectfully submitted.

The Committee are further of opinion, that if the leading or sole object be, to adapt William-street to a jobbing business, and give it the character of Pine, or other cross streets ; then under the differences of opinion in the persons interested, the Common Council ought not to interfere, as the question will be one almost solely of private interest, on which private opinion is substantially balanced. But if William-street is to be hereafter looked upon, as one of the great longitudinal avenues or thoroughfares of the city, it becomes a question of public concernment, and the street ought to be widened ; and if it is to be widened for a thorough-fare, then it ought not to be done in sections, whereby the owners of property would be subjected to the expenses of sundry different and separate proceedings ; to the vexations of different attendances on Committees, Assessors and Courts ; and the hazards of the different judgments of different boards of Assessors, who at different times, would be called to fix lapping assessments for

benefits on the same property. The Committee are of opinion, therefore, that the prayer of the Petition, as a private and partial measure, ought not to be granted.

But the question still remains, whether it is not "necessary and desirable for the public convenience to extend, enlarge, straighten, alter, or otherwise enlarge" William-street, from Wall-street to Chatham-street, as to render it a thorough-fare, and improve it for other purposes, and whether it is not "desirable" that the Common Council should "order and direct the same to be done."

The Committee have given this subject but a partial consideration, as it is not strictly within the reference to them; they nevertheless respectfully submit the following observations and facts:—The crowded state of Broadway for some years past, has directed the attention of the officers of the city, and of the citizens generally, to the subject of another general through-fare through the city, and at different times Church and Chapel-streets, on the west side of Broadway, for the convenience of the north and north-western parts of the city; and Nassau, William and Gold-streets, on the east side of Broadway, for the convenience of the east and north-eastern parts of the city, have commanded their attention. The interest recently manifested on the subject of Nassau-street, is fresh in the recollection of all; the reports of the Common Council on that subject are to be found in Vol. 2 of Doc., pages 151—158—430. Nassau and William-streets are about the same average width of 36 feet each from Maiden Lane north.

The proposed improvement of Nassau-street failed from divers causes; amongst others, two appear to have been of great weight, to wit: the proposal to make it 60 feet in width, the expense of which was estimated at about \$755,000; and that the benefits were estimated below the expense.

In the month of February, 1833, application was made



to the Common Council to widen William-street from Beaver-street to Frankfort-street, and to extend it from thence to Chatham-street. It was referred to the Street Committee of the Board of Aldermen, and before them opposed. The subject appears to have received much attention, and the expense estimated to be very great; but it was not definitely acted upon by the Committee. Another application for a sectional improvement from Pearl to Wall-streets was however successful; and now another application for another improvement is made, and is the principal subject of this report; a third application for another sectional improvement is, as your Committee are informed, in progress, and thus the succession of sectional disturbances kept in progress.

The widening and extending of William-street to Chatham-street appears to embrace many advantages. William-street enters Wall-street at a convenient point; in its continuance south it leads to important Mercantile parts of the town; at its proposed northern extremity it connects with the Bowery and East-Broadway by Chatham-street; and it enters Chatham-street at a point convenient for its connection with Centre-street; whilst its present mouth opens on Pearl-street, opposite the southern termination of Henry-street, thus seemingly intended to form the conduit through which the inhabitants of three wide spread sections of the City, are hereafter to have a ready communication with its great business section.

To accommodate such masses of people, and moving property, the proper width of the street will become a question of much consequence in case the improvement be decided upon. William-street is now a great thoroughfare for foot passengers, but comparatively little frequented by either carriages or carts. The unevenness of the surface, and narrowness of the cart-ways render it inconvenient for them. The Committee have been led to believe that 50 feet is a convenient width for an ordinary

business street, combining with it a good share carriage passing ; but for a general thorough-fare should be of at least 60 feet : and that the proper width of William-street must be determined by a comparison of these requisites, with the situation and value of the property to be effected.

In case William-street is destined to become the proposed thorough-fare, the present seems to be as favorable a time for the execution of the work as is likely to occur. The buildings upon the street, are now mostly of a very inferior character, and for the most part ought to be taken down, were it only for the credit of the town ; and they must soon come down in the ordinary course of events, to make room for others, and of a different description and design. What that design will be, is dependant upon the peculiar character the street will take, in the advance of our City in improvement, extent, and business. The leases of the Dutch Church mostly expire in May, 1836 ; and the probable improvement of several of the cross streets, may afford the requisite opportunities of altering the graduation of the surface.

It has been objected that the rolling surface of William-street, will prevent its becoming a thorough-fare equal to Broadway ; which being located on the height of ground, is cut by but five crossing gutters in its whole two miles of length, and presents a surface of such easy undulation as to be almost equivalent to a level. The objection is worthy of much consideration ; and may form an argument in favor of a less width for William-street, than would otherwise be requisite. But it is also a matter of enquiry ; how much the inequalities of surface may be reduced, when the improvement is taken in connection with that of Spruce-street which is now in progress ; the proposed alterations in Fulton-street, John-street, Liberty-street, Gold-street, and Cliff-street. This whole section of the town seems to be in a state of revolution, and destined at



no late day to become the subject of improvement, either in detail, or as a whole. It may not be unwise for the public Conservators to cast an eye ahead, and by the settlement of a general scheme facilitate the measures, and moderate the expense.

The alterations of the graduation of streets is a most serious item in the expenses of improving them. In the first instance the removal of the earth is a heavy item; and in the second by the law of 1816, the owners of lots on the adjoining streets, which are damaged by alterations of the graduation, are entitled to payment of that damage; and thus those, who perhaps would be benefited by the widening a street, and therefore be made contributors to the expense for the benefit received, are converted into receivers of damages, and the fund for the payment of damages, derived from the benefits conferred, thus reduced below the damages suffered. This is another point of serious consideration.

The Committee have not entered into an enquiry as to the amount of the cost of the suggested improvement from Wall to Chatham-street; but they have been furnished with an estimate of the value of the land which would be taken for widening the street to 40 feet from Wall-street to Maiden-Lane, and 45 feet thence to Chatham-street, in which it is made \$246,787 70-100. This does not include the value of the buildings or the expense of grading.— They have also been furnished with another statement shewing an estimate of benefits. Both these papers the Committee annex to this Report, in the hope of their containing valuable matter for the consideration of those interested, but express no opinion as to the justness of the estimates.

The Committee have gone thus into detail and beyond the matter referred to them, in the desire to produce a beneficial action on the subject by the Board, and to elicit from those interested such full views on the subject as may put the matter at rest for ever hereafter; and still

further with the same views, they most respectfully submit for consideration the following resolutions:

*Resolved*, That it is inexpedient to grant the prayer of E. Holbrook and others praying for the widening of William-street from Wall-street to Maiden-Lane, inasmuch as it proposes an improvement of a small portion of the street, when it is in fact a part of a plan for the improvement of the whole street; and ought if made at all, to be made in connection with a widening of the street through its entire length and extension to Chatham-street.

*Resolved*, That the said petition, and foregoing report and remonstrances, and documents connected therewith, and annexed thereto, be referred back to the Street Committee, to enquire into the expediency of widening William-street to a width of 45 feet, from Wall-street to Maiden-Lane, and from thence to Frankfort-street to a width of 60 feet or some other width not less than 50 feet, and the extending thereof of such width straight through to Chatham-street; and also of widening William-street, from Frankfort-street northeasterly to Pearl-street; and that they inquire into, and ascertain the opinions on the subject, of those interested therein, or liable to be effected thereby.

Most respectfully submitted,

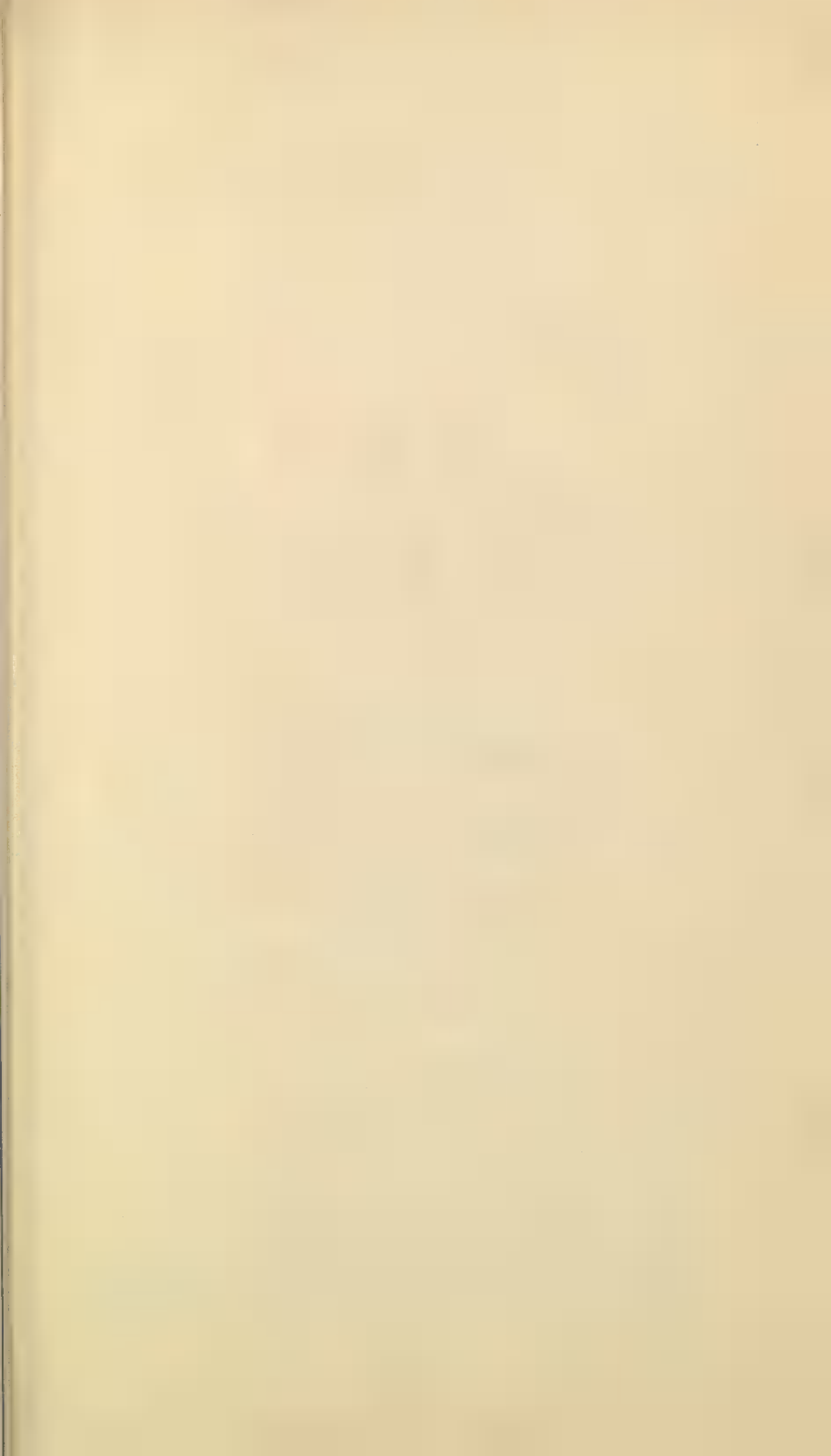
WM. SAM'L JOHNSON,	} Street Committee.
ROBERT SMITH,	
SAMUEL PURDY,	

New-York, Aug. 6th, 1834.



Estimate of Benefit from Wall Street to Maiden Lane

WILLIAM STREET.				MAIDEN LANE.		JOHN STREET.		CEDAR STREET.		PINE STREET.		WALL STREET.				
Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.			
50 } 52 } 54 }	\$ 3,600			Bro't forwa'd	52,550	60	500	48	75	49	200	M. Burnham	250	400		
56 & 58		2,000	150	200	40	375	58	400	46	150	42	175	Do.	225	Globe Insur.	350
60		800	152	200	38	350	56	475	44	125	44	250	D. S. Jones,	200	Merch. Bank	700
62	1,200	154	200	J. Post's cor.	350	54	450	42	100	46	200	BN Mumford	200	Manhattan B	500	
64	800	156	250	D. Austen "	500	52	350	40	75	48	175	A	150	Union Bank,	300	
66 & 68	2,000	158	225	22	200	50	400	38	50	50	150	B	100	No. —	150	
70	1,000	160	200	20	190	48	300	36	25	52	125	C	50	National B'k	100	
72	1,200	162	190	18	200	46	200			54	100	No. 42	275	U. S. Bank,	100	
74 & 76	1,200	164	180	Say 16 & 14	300	44	150	Add 3 times,	1,800	56	75	40	250	No. 28	275	
78	2,000	166	170	"	140	42	125			58	50	38	225	26	300	
		168	180	10	130	40	100			60	25	36	200	24	400	
				Lorillard,	25	38	75			41	250	34	150	22	300	
				A. Blake,	130	36	50			43	250	32	100	20	200	
S. & R.	200	172	100	Luqueer,	50	34	25			45	200	30	50	18	100	
84	850	174	100	Lang,	40	65 & 63	500			47	175	48 & 48½	600	Fulton Insur.	275	
86	900	176	75	Carman,	75	{				49	150	50	275	No. —	300	
88	850	178	70	No. 1	100	61	400			51	125	52	250	Mer. Excha.	1,000	
90	800	180	70	2	100	59	375			53	100	54	200	N. Y. Ins. Co	700	
92	750	186	60	3	100	57	350			55	75	56	150	City Bank,	300	
Bal. 94	300	188	55	4	110	55	325			57	50	58	100	Trust Comp.	250	
" 96	300	190	55	5	50	53	325			59	25	60	50	Prime, Ward		
98	700	192	45	11	200	51	300					51	200	King & Co.	250	
100	400	194	45	13	200	49	275					53	150			
102	375	196	40	15	225	47	225					55	100		\$7,250	
W. Ins. Com	850	198	35	17	250	45	200					57	50			
110	650	200	35	19	250	43	175									
114	350			21	250	41	150									
116	325			23	300	39	150									
118	475			25	300	37	100									
120	450			33	225	35	50									
124 & 126	875			35	400	33	20									
128	400			37	350	68 & 70	500									
130	375			39	400	72	325									
132	350			41	425	74	275									
136	320			43	425	76	200									
140	300			45	250	Suydam,	71	250								
144	250			47	250	Snyder,	73	200								
146	220			49	250	Benedict,	75	150								
148	210			51	250			100								
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*Estimate of Ground required for the opening of William-street on the west side from Wall-street to Chatham-street, as proposed by a Petition to the Honorable the Corporation of the City of New-York.*

	ft. in.	ft in.	ft. in.	pr. ft. at	Dolls. Cts.
From Wall to Pine-street,	197	5 by 7 6	is 1485 9	\$ 16 00	23772 00
" Pine to Cedar,	137	8 " 10 6	" 1344 10	12 00	16138 00
" Cedar to Liberty,	148	8 " 5 6	" 818 2	12 00	9818 00
" Liberty to Maiden Lane,	87	8 " 9	" 789 00	16 00	12624 00
" Maiden Lane to John st.	272	0 " 9 9	" 2652 00	11 00	29172 00
" John to Fulton,	356	0 " 10 0	" 3560 00	6 00	21360 00
" Fulton to Ann,	119	0 " 10 0	" 1190 00	5 75	6843 50
" Ann to Beekman,	195	4 " 10 6	" 2051 1	5 75	11792 75
" Beekman to Spruce,	206	8 " 10 0	" 2066 8	5 50	11366 8
" Spruce to Frankfort,	238	5 " 11 0	" 2623 6	4 50	11805 87
Part of S. Arden & Grant, say,	100	0 " 36 0	" 3600 00	4 25	15300 00
From Grant to Arcularius,	220	0 " 47 6	" 10450 00	5 00	52250 00
Part of Arcularius,	57	9 " 25 0	" 1443 9	6 00	8662 00
" L. Giles,	43	9 " 18 0	" 787 6	6 00	4725 00
" Lorillard,	29	0 " 31 0	" 899 00	6 00	5394 00
" R. Brown,	36	6 " 17 6	" 638 9	6 00	3832 50
" do.	36	0 " 7 3	" 261 00	6 00	1566 00
" A. Logan,	35	0 " 1 9	" 61 00	6 00	366 00
					246787 70

The following Houses and Lots have recently been sold, viz :

House and Lot, 136 William-street, (between John and Fulton-street,) being 25 ft. 9 in. front, 25 ft. rear and 100 ft. 7 in. deep on one side, and 100 ft. 1 in. on the other side, making 2536 ft. 4 in., cost \$12,000, or \$4 73 per square foot, and on the opposite side the ground is calculated at \$6 per foot.

House and Lot, 176 William-street, (between Beekman and Spruce,) being 26 ft. front, 25 ft. rear, 63 ft. deep on one side and 60 ft. 1 in. on the other, containing 1581 ft. at \$8000—stands in \$5 06 per foot; the property on the opposite side calculated at \$5 50.

House and Lot, 188 William-street, (between Spruce and Frankfort,) being 24 ft. 5 in. front, 24 ft. 7 in. rear, and 100 ft. 1 in. on one side; and 96 feet 10 in. on the other, cost \$7800 with the assessment for widening Spruce street paid, or \$3 23 per square foot—and the ground on the opposite side is calculated at \$4 50 per square foot.

AUGUST 6th, 1834.

The following Petition for widening William-street from Wall-street to Frankfort-street, and extension of it to Chatham-street, was presented by Mr. Johnson, ordered to be printed in connexion with the Report of the Street Committee on the petition of E. Holbrook and others, and referred to the Street Committee.

*To the Honorable the Common Council of the City of New-York:*

The undersigned having considered the subject so long agitated of widening and extending William-street from Wall to Chatham-street, and being satisfied of its great utility as a public and private benefit, beg leave to state, that inasmuch as it is believed that it would promote the general interests of the owners of property to be effected to establish the whole line from Chatham-street to Wall-street, instead of a partial widening from Wall-st. to Maiden Lane, as has been suggested, and as the public interest seem to require a greater width of the street than has heretofore been asked for, we have concluded to solicit the widening of William-street on the westerly side from Wall-street to Frankfort-street, so as to make the same 45 feet wide from Wall-street to Maiden Lane, and 50 feet wide from Maiden Lane to Frankfort-street, and to open a new street from Frankfort-street to Chatham-street on a direct line with William-street, at a breadth of 50 feet, agreeable with the accompanying map and plan. We would also suggest that the completion of so much of the improvement as is embraced between Maiden Lane and Beekman-street, be *deferred* until the first of May, 1836, at which period all the leases given by the Reformed Dutch Church within their limits will expire.

This improvement, it is believed, can be made at a moderate expense, if measures shall be taken to effect it

before other costly buildings shall be erected on the present line of the street. A majority of the buildings that would be removed are nearly worn out with age, and are of little value. It is more than a century since the street was laid out, and the upper part of it remains nearly in its primitive state; at some points it is found to be but a little more than 30 feet wide, and opposite the new stores between Pine and Wall-streets, there is but 15 feet 6 inches between the curb stones. The width of a carman's cart is say 6 feet 10 inches, so that two of them standing opposite each other, would occupy all the space between the curb-stones but 1 foot 10 inches. The length of a cart from the wheel when it strikes the curb-stone, to the end of the shaft, is 12 feet 5 inches, and when standing across the street, would occupy all the space but 3 feet 11-2 inches.

Pearl-street is about 44 feet wide say opposite Mr. John Haggarty's store, corner of Pine and Pearl-streets, which is acknowledged to be the most suitable width for the accommodation of its business, and from this fact alone we do not hesitate to say, that William-street being but little more than 30 feet wide, is quite too narrow for the accommodation of an active wholesale trade; and we are persuaded that a great proportion of the street will soon be wanted for this description of business, if properly widened and improved.

Much has been said of the amount of business done in Pine-street, notwithstanding it is well known to be very narrow as it approaches Pearl-street, and this fact has been mentioned to prove that William-street is now sufficiently wide for a heavy wholesale business. But what are the facts? is Pine-street found wide enough for the convenience of business? Most certainly not. There are however, many reasons why an extensive business has been done in the street notwithstanding its confined condition. The principal ones are its contiguity to Wall and

Pearl-streets ; the business of the street being confined mostly to city trade, and the usual sales made in large quantities, which do not require the same street accommodations, sidewalks, &c., as others of a more general business. It is well known that many of the merchants in Pine-street store their goods in other streets, and sell by sample. Thus a single bale of goods may be shown to sell a thousand, and the 999 delivered from some other place of deposite. There is a great amount of business done in the Merchants' Exchange, and the various broker's offices, requiring even less room than Pine-street, but all this does not prove that William-street ought not to be widened. It should also be borne in mind that Pine-street being a cross street does not require as much width as other streets running parallel with Broadway and Pearl-street ; much is said of the injustice of forcing an improvement against the wishes of a few incredulous individuals who will never acknowledge a benefit, until compelled to do so by reasons more powerful than words, but what of all such objections when it cannot be denied that the improvements from Hanover Square to Wall-street, have nearly doubled the value of every piece of property within those limits. Suppose we make a comparison of rents, which is the proper method of testing the value of all similar improvements.—The following will undoubtedly illustrate this part of the argument.

Prior to the recent improvements in William-street, below Wall-street, house and lot No. 38 William-street, containing 1845 square feet of ground, rented for \$750 per annum, or 41 cents per square foot : now with the addition of a new building, which cost about 5000 dollars, it commands a rent of \$2700 per annum, or \$1 46-100 per square foot. House and lot No. 17 William-street, consisting of 2146 square feet of ground, rented for a little less than \$500 per annum, or 23 cents per square foot ; now with the addition of a five story store, which cost

about 9000 dollars, it commands a rent of \$3500 per annum, or \$1 61 per square foot. House and lot No. 33 William-street, corner of Exchange Place, formerly contained 889 1-2 square feet of ground, and rented for 640 dollars per annum, or 72 cents per square foot. This property has been reduced by widening Exchange Place and William-street, to 643 square feet, which with the addition of a 5 story store, costing about \$3000 more than the sum allowed by the Corporation, commands a rent of \$2300 per annum, or \$3 57 1-2 cents per square foot. This sum would seem sufficient for any reasonable man, though there are instances of higher rent. The store and lot No. 168 Pearl-street, corner of Pine-street, containing 1000 square feet commands a rent of ~~\$4200~~ per annum, or \$4 20 cents per square foot. House and lot No. 136 William-street, containing 2541 square feet, rents for \$1050 per annum, or 41 cents per square foot. House and lot No. 188 William-street, containing 2413 square feet, cost \$7800, with the assessment paid for opening Spruce-street, or \$3 23 1-4 per square foot, rents for \$550 per annum, or 23 cents per square foot.

Thus it appears, that while some portions of William-street cost but \$3 23 1-4 cents per square foot, other portions of it under an improved state commands a rent of \$3 57 1 2 per square foot per annum.

These facts require no comment, and we trust will be sufficient to show the great propriety of opening and extending William-street, in conformity with this application.

Your petitioners beg leave further to suggest, that an much of the steeple of the Reformed Dutch Church an shall fall within the proposed line of the street fronting an William-street, between Fulton and Ann-streets, shall remain undisturbed by this improvement, and the new line of the street commencing at Fulton-street, and extending to Ann-street, to be made to conform with the accompa-



nying map. This reservation, it will be perceived, will not incommode the street more than the usual obstructions of cellar doors, grates, &c. &c.

And will ever pray.

Allison Pope	Adee, Timpson, & Co.
John R. Pitkin,	Hicks, Lawrence, & Co.
A. R. Cheriatt,	<del>Curtis</del> Haydock, & Co.
John Timpson,	Pearsall, Stanton, & Co,
George W. Thrall,	per Thos. W. Pearsall,
E. & W. Bussing,	Thomas W. Pearsall,
Alfred Ashfield,	Jacob S. Platt,
John Budd,	David Austen,
James P. Drummond,	P. A. & G. Curtis,
Wm. F. Phyfe,	Isaac Adriance,
S. R. Childs,	40 John-street.
Peter A. Miller	Thomas Leggett, Jr.,
W. B. Windle;	Abram Van Nest,
S. Gouveneur,	C. O. Halsted,
by F. Philipse, his attorney.	Stephen Storm,
Peter Aims,	John Turner,
Samuel Fitz Randolph,	John J. De Forest,
James Chalmers,	42 John-street.

The above petitioners are all owners of property on William-street, and its vicinity.



**DOCUMENT NO. 18.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**AUGUST 6, 1834.**

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Report of the Committee on the Petition for the repeal of the Law regulating the weighing of Anthracite Coal ; laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Laws, &c. to whom was referred the petition of Walter M. Franklin and others, praying for the repeal of the Ordinance regulating the weighing of

Anthracite Coal, and also a remonstrance against said petition, respectfully beg leave to

### REPORT.

That they have been attended by a number of Coal dealers, the weighers of Coal and others, and have heard attentively the statements and allegations of the respective parties.

The Committee are satisfied that the Common Council possess the power to regulate the weighing of Anthracite Coal, and that the Ordinance on that subject is constitutional and valid.

The Committee are also satisfied that the law is a salutary and proper one, and ought to be enforced. Some of the Coal dealers are not dissatisfied with it, and on the contrary prefer that the responsibility of weighing their Coal should rest upon a public officer.

Without at all calling in question the honesty and fair dealing of the venders of Anthracite Coal, the Committee are satisfied that the weighing of this Coal should not be confided to ordinary Clerks, or other inexperienced hands in their employ, but should be subject to the careful inspection of competent persons selected for that very purpose.

The Committee are further of the opinion that this Ordinance meets with the approbation of the great body of our fellow citizens.

Upon the whole the Committee feel no difficulty in re-

commending to the Board the adoption of the following Resolution :

*Resolved*, That it is not expedient to comply with the petition of Walter M. Franklin and others, praying for ■ repeal of the law regulating the weighing of Anthracite Coal, and that the petitioners have leave to withdraw their petition.

The Committee further recommend the passage of the following additional sections to the law entitled “ A law to regulate the sale of Anthracite or hard Coal in the City of New-York.”

§ 12. The Common Council shall have power from time to time to appoint an additional number of Weigh Masters of Anthracite or hard Coal, as often as circumstances may require, who shall be subject to all the regulations herein contained.

§ 13. The weighers shall be at liberty to place scales at such locations as the Committees on Streets may specify, convenient for boats frequenting the City with Coal, at which scales, or at scales provided by the venders of Coal at their yards, all Coals shall be weighed.

§ 14. It shall be the duty of each weigher to give a certificate to accompany each and every load of Coal, to contain the name of the cartman, the number of his cart, the amount of Coal and number of the certificate, all to be filled up in the hand-writing of and subscribed by the weigher.

§ 15. No cartman shall cart or deliver any load of Coal without such certificate ■ mentioned in the last

section under a penalty of Ten Dollars for each and every offence.

HORACE HOLDEN,  
WM. SAM'L JOHNSON, } *Committee.*  
F. A. TALLMADGE.

New-York, Aug. 6, 1834

**DOCUMENT NO. 19.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 20, 1834.**

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Report of the Finance Committee, on the Memorial of the Society for the Promotion of Knowledge and Industry, and on the Report of the Special Committee upon that subject, by L. Suydam ; laid on the table ordered to be printed.

**R. FISHER, Clerk.**

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The Finance Committee of the Board of Assistant Aldermen, to whom was referred the Memorial of the " Society for the Promotion of Knowledge and Industry," and the unanimous Report of the Special Committee of both Boards, appropriating two thousand dollars, to the sustainment of a gratuitous Intelligence office, (established by said Society,) and sundry incidental expenses, beg leave respectfully to

**REPORT.**

That they are unanimously of the opinion, that the said Society is founded upon enlightened principles, that their members are benevolent, intelligent and active men, who have for eighteen months, devoted a portion of their time

gratuitously, and are not only willing but desirous to continue their exertions to improve the moral and physical condition of the poor—not by giving them alms—not by sustaining them in idleness—not by keeping them without work dependant upon the Charity Fund of the city—but on the contrary, this Society proposes to produce the reform, admitted by all, to be so necessary, by precisely opposite means, viz:—to send all children to school, to put an end to idle street strolling and begging, to prevent hawking and peddling by minors, both of which are the surest means that could be devised to fill, first, the House of Refuge, and afterwards Penitentiaries and Prisons; to find employment, both in this city and in the country for all who will work—thus to make a discrimination, which laws never can make, between the virtuous and the vicious; in fine, to strike at the root of Pauperism and crime, by visiting the poor at their habitations, and endeavoring to raise them in their own estimation by teaching them habits of economy, and proving to them, that industry and intelligence are the hand-maids of happiness and virtue, and idleness and ignorance, the parents of poverty, vice and crime.

But *one* difficulty has presented itself to prevent this report from being a full, free, and cordial concurrence, with the report of the Special Committee, and that is, that fears are entertained, by at least one of the members of your Committee, who thoroughly approves of the Society, and its objects, that the appropriation of two thousand dollars by the Common Council, may slacken the zeal of the members, and check the contributions of the charitable individuals who have created the Institution; and whose interest in it should be preserved as an interest in their own property. To these objections, it is answered by the Society, and your Committee believe, with a perfect conviction on their part of its truth; that a Society professing not to be an alms giving society, should not be reduced to the necessity of becoming themselves beggars for money,



that they have fully tested the inefficacy of such a recourse, and they are every where met by the answer, your object is *the lessening the public burthens*, and *the public* should defray your expenses—we are willing to work with you, but not to pay our money.

The Society has raised principally from among its managers considerable sums, and it cannot be doubted by any, that the active intelligent gentlemen, who constitute the efficient members of this body of citizens, (among whom as President and Vice President, they find the names of our late, and our present respected and worthy Chief Magistrates,) have well considered this subject—they must have their feelings interested in its success.

In conclusion the undersigned would respectfully refer to the unanimous Report, made by the Special Committee of both Boards, in favor of the Memorial in question, which more fully explains the details, and shews that already (up to July last the date of the Memorial,) 1215 persons many of whom would have become a public charge, have been sent into the country, and 594 idlers placed in useful employments in the city—to say nothing of the hundreds of children sent to the public schools, and adults relieved upon the principles of the Society without alms giving.

The undersigned therefore submit the following, to be added as an amendment to the last resolution in the Report of the Special Committee of both Boards, (and herewith annexed.)

“PROVIDED, That the said Society for the Promotion of Knowledge and Industry, shall previous to the first payment being made, furnish his Honor the Mayor with a subscription list, amounting to at least, the like sum of two thousand dollars ; either for money already paid, or to be paid within one year, for the sustainment of said Society, signed by their President, or either of the Vice Presidents and Secretary.”

The adoption of which, together with the resolutions, contained in the annexed Report, your Committee recommend a concurrence. Respectfully submitted,

LAMBERT SUYDAM, } Committee on  
WM. SAMUEL JOHNSON, } Finance.

Report of the Committee upon the Memorial of the  
Society for the Promotion of Knowledge and Industry.

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REPORT, &c.

The joint Committee appointed upon the Memorial of the Society for the Promotion of Knowledge and Industry asking a conference with the Common Council, respectfully Report—That they have had a very full, frank, and satisfactory interview, with a large Committee of said Society—and as many facts and arguments were advanced which your Committee conceive to have a very important bearing, upon subjects of deep concernment to the welfare of the city; your Committee will make no apology, for stating them somewhat at large, though it is their desire to be as brief as the nature of the case will admit. The Society in question, is founded upon the following principles, namely, that it is better to prevent, than to make provision for pauperism; and that giving employment to the indigent, schooling to their children, and visiting them at their dwellings, are the best possible means to accomplish this desirable end—that indiscriminate alms giving inevitably increases mendicity—that Poor Laws cannot provide for, nor can commissioners under them procure sufficient information to enable them to make a proper discrimination.

With these general principles as their basis, they have organized associations regularly officered, in eight wards of the city, and propose as soon as practicable to extend them into every ward. Besides these associations, there is a board of Managers of Five, from each ward, elected annually by the members, which board have the general superintendence and management of the Society. It has been sixteen months in operation and has fully tested the

practicability of having the wards districted, and the condition of the inhabitants ascertained, through the medium of visitors, whose chief objects are, to send the children to school, to set the idle to work, and by an examination into the circumstances of each particular case, to provide understandingly for all—giving no alms except in cases of immediate and pressing necessity. It would make this Report too long to go into the details, which were submitted to your Committee, of the present state of this large and eminently useful body of our fellow citizens, but your Committee refer with confidence to the Annual Report of the Society, copies of which have been furnished to the members of the Common Council—Your Committee further state generally, that this Society in the eight wards in which it is in operation—in some to a greater, and others to a less extent, has since its organization sent some hundreds of children to the Public Schools, decreased street begging, hawking and peddling by minors, relieved many of the distressed, and through the medium of a gratuitous intelligence office, which has been but about three months in operation, has found employment for five hundred and ninety-four persons in the city. In addition to which the agent has opened communications, with every County in this State, and New-Jersey, and also with many other States of the Union, which communications it is proposed to extend. Through their circulars they have procured situations out of the city for one hundred and twelve families besides directing one hundred and thirty-one families to distant places in the western country and elsewhere. Printed cards have also been sent on board of vessels arriving with emigrants, informing them of the Intelligence office. Supposing the families above named to contain each five persons, (which your Committee conceive to be a moderate estimate,) then the two hundred and forty-three families, thus sent out of the city, has, in the short space of *three months*, relieved the city of twelve hundred and fifteen persons, many of whom would have become a

public charge—thus lessening, greatly, the burthens of the Commissioners of the Alms House, and in the same ratio decreasing the public expenditures. The Committee of the Society having thus given to your Committee, a full account of their principles and proceedings up to this time, further represented that the expenses of sustaining their institutions, particularly the General Intelligence office, had become so burthensome, from the immense increase of its business, which is daily extending, that the Society had thought it best to submit the case to the Common Council, and propose to them a plan by which the public expenditures may be abundantly lessened—and the intelligence office sustained, and its usefulness much augmented, while it will enable the Society to appropriate such funds as they may derive from private sources to the other important objects of their charge. They therefore submitted to your Committee, a proposition that as this Intelligence office was applied to the sole purpose of finding employment for the destitute and sending from the city, large numbers, who must otherwise become chargeable as paupers—whether it would not be as judicious an application of the public funds, as any other that could be made of them, for the Corporation to adopt this means of preventing pauperism rather than to suffer such persons to become mendicants, and be thrown for their support upon the Charity Fund of the city. A member of the board of the Commissioners of the Alms House, (also a member of the Society,) was present at the Conference and assured your Committee, that should they grant the sum of two thousand dollars, (the amount stated as necessary to defray the expenses of the Intelligence office, for one year,) and a few expenses, incidental to it, for the same period—it was his firm conviction such appropriation would save ten thousand dollars to the city. The Committee of the Society expressly declared to your committee, that they could not consent to receive this money as a donation to their Society, because they fear it would be considered as money given to

be dispensed in alms giving, which is entirely contrary to the spirit of their Institution. There was but one principle upon which they applied to the Common Council, and, that is, as before hinted, upon the principle of economy in the city expenditures. If the Common Council upon the facts and reasoning premised, namely that so much had already been done, and that in the short space of three months, so many of the destitute had been provided for, without any expense to the city, should be satisfied that it would be advantageous to enlist the services of this Society to continue their General Intelligence Office at the public expense, then the Society would respectfully ask of the Common Council so to do, and to appropriate the sum of two thousand dollars for that object—which would much extend the benefits to the city, both of the office, and of the Society, in its other departments. But your Committee, were particularly requested to consider that matter as one of a business nature, that if said sum should be so appropriated it should be well understood not to be a grant to sustain an alms giving society, but to pay expenses actually accruing to a number of citizens of New-York, who were gratuitously laboring to prevent Pauperism and crime, by endeavoring to make the industry and the exertions of the destitute, the means of their support—instead of suffering them to swell an already unparalleled list of mendicants, for which the public have to provide. Your Committee have therefore viewed this matter in that light, and after a full comparison of sentiment, are unanimously of the opinion, that the sum of two thousand dollars thus appropriated, will be a very great saving of expense to the city, to say nothing of the abundant gratification, the public must derive from the advantageous moral effect that must be thus produced, by the exertions of this meritorious Society in the Promotion of Knowledge and Industry and the prevention of Pauperism and crime. Your Committee therefore unanimously offer the following resolutions:—



**RESOLVED,** That the sum of two thousand dollars be appropriated to *re-imburse* the Society for the Promotion of Knowledge and Industry, for expenses incurred, and to be incurred by them in sustaining for one year from its commencement, (with other incidental expenses,) a General Intelligence Office, having for its object the prevention of Pauperism, by giving gratuitous information on the subject of employment to all emigrants and others, who may apply. Provided, that the said Society shall furnish to the Common Council semi-annually an account of the number of persons so supplied—designating whether the same are natives or emigrants, and discriminating between such as shall be employed in the city and those sent from it—and as nearly as may be to what places they shall be sent.

**RESOLVED,** That the Comptroller be, and he is hereby authorized to draw his warrant in favor of Gideon Lee, or whoever may be President of the said Society for the Promotion of Knowledge and Industry, for the sum of two thousand dollars for the uses and purposes, contained in the above resolution, *said* money to be paid in four quarterly payments,—the first on the day this resolution shall receive the sanction of his Honor the Mayor, and the other three at three equal succeeding quarters, until the whole sum of two thousand dollars shall be paid.

*New-York, July 28th, 1834.*

LAMBERT SUYDAM,	}	<i>Special Committee.</i>
JAMES BALLAGH,		
F. A. TALLMADGE,		

ROBT. C. CORNELL,	}	<i>Com. on Charity and Alms-House.</i>
WM. C. WALES,		
EDWARD TAYLOR,		

To the Honorable Common Council of the City of New  
York:

The memorial of the "Society for the Promotion of  
Knowledge and Industry,"

RESPECTFULLY SHOWETH,

That your Memorialists have united for the purpose of  
endeavoring to devise the best mode of preventing mendi-  
city and crime, and of meliorating the condition of the in-  
digent portion of their fellow-citizens, through public and  
private charity, so far as it can be done without encourage-  
ing idleness.

Your Memorialists approach you with confidence well  
knowing your desires to take every proper measure, for  
the accomplishment of these all important objects, and  
they would earnestly call your attention, to the existing  
state of our City in the premises.

From the official documents of the Secretary of State,  
the Society derives the alarming information that the  
number of paupers supported by public charity has more  
than doubled since 1830.

In that year they amounted to,.....15,506

In 1831, there was but little increase—then,

they were.....15,564

In 1832, they had increased to,.....34,094

In 1833, they reached the enormous

amount of. .... 35,777

The expense to the city in 1831, was. .... 86,597

In 1832, it was.....98,223

In 1833, it was.....92,040

The number of Emigrants into this port was

In 1830.....30,224

In 1831, it was.....31,739

In 1832, it was..... 48,589

In 1833, it was..... 41,752

Your Memorialists offer these short statistical accounts, to call your attention to the number of Paupers, the annual amount taxed upon our citizens for their support, and the increasing number of emigrants, who annually resort hither, as the port in the United States best adapted for the purpose of seeking, under the mild Institutions, and in the capacious extent of our country, a better condition than has been afforded to them, under the less free governments, and more densely populated countries of Europe.

It is not the desire of your Memorialists here, to go into many details of the subject, because to do so, would be to render this memorial too voluminous; its object therefore is solely to call your attention, to the alarming increase of Pauperism and crime, within the limits of your jurisdiction; and to invite a conference with you, in any manner you shall deem most expedient, that your Memorialists may have an opportunity of more fully explaining their plans, which they conceive would greatly lessen the public expenditure and diminish Pauperism and crime—desiderata sufficiently important in themselves—but if your Memorialists, do not deceive themselves, they propose to strike at the very root of what they conceive to be the fatal error in the administration of all poor laws, namely, that of providing support for the Poor by indiscriminate Alms giving.

Admitting as your Memorialists do to the fullest extent, that Society must of necessity provide for the destitute, their plan is to provide for them, through their own labor, and also to improve their moral condition.

With this short communication of their views, your Memorialists conclude by praying, that your Honorable body will please at your good pleasure, and in your own manner to allow a Committee of their Society to hold a conference with you, that they may more fully explain themselves, and in particular point out the order they would respectfully ask of the Common Council to take in the premises, should they concur with your Memorialists, as to its propriety and importance.

The better to inform your several Members of the nature and objects of the Society for the Promotion of Knowledge and Industry, your Memorialists annex a copy of its Constitution, and of its last annual Report, and furnish each member of both Boards with a copy of the latter.

Not doubting that you will duly appreciate the motives of your Memorialists, whatever may be the result of this application.

Your Memorialists respectfully submit the cause to you with unlimited confidence.

*By Order of the Society.*

**WILLIAM JAMES M'NEVEN,**

*President, pro tem.*

**DOCUMENT NO. 20.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 27, 1834.**

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Report of the Street Commissioner, with statements of Contracts and Persons employed by the department. Report adopted and Communication from Street Commissioner accepted, and double the usual number of copies ordered to be printed.

**R. FISHER, Clerk.**

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The Street Commissioner has the honour to submit to the Board of Assistant Aldermen, the following statements of Contracts, made by the Street department and the names of the various persons employed in the public service connected with that department, from the beginning of May last up to the present time, in conformity with a resolution to that effect, passed on the 20th instant; and which is hereunto appended, as follows, viz:

First. A statement shewing all the contracts made for paving Streets, with the particulars of each contract.

Second. A statement of all the contracts made for regulating Streets and public places; with the particulars of each contract.

Third. A statement of all the contracts made for paving Sidewalks ; with particulars.

Fourth. A statement of all the contracts made for digging and building Wells, with particulars.

Fifth. A statement of all the special contracts made for building Sewers, Docks, &c. ; with the particulars of each contract.

Sixth. A list of the names of all the persons licensed as pavers by the Street Commissioner, to repair the Streets of the City, not accepted by the Corporation, with the dates of their appointments.

Seventh. A list of the names of all the persons who have been employed to repair the pavements of the streets, and public places ; which are to be kept in repair by the public.

Eighth. A list of the names of all the persons who have been employed to work on the roads.

Ninth. A list of the names of all the persons who have been employed as inspectors of paving. Also, of building sewers, and of the work performed by the Mud machine.

The foregoing statements are respectfully submitted by

GEORGE B. SMITH, *Street Com.*

October 27, 1834.



**Resolution of Inquiry of the Street Commissioner for information ■■ to certain contracts and appointments made by him.**

**RESOLVED, That the Street Commissioner report to this Board at its next meeting, a list of all contracts made by him since the second Tuesday of May last, under the laws authorising him thereto for making of Wells, Pumps, Canals, Sewers, Paving Streets, making Buildings and Wharves. Also all contracts for regulating and paving streets, specifying concisely the nature of each contract, the pieces for which they were taken, the names of the contractors, the dates of the contracts, and the names of all sub, or under contractors, and persons employed under them, officially known to his office, and also, that he communicate to this Board the names of the several Inspectors of Pavements with the dates of their appointments—also the ■■■■■ of all Cartmen and ■■ far as known to him persons employed in repairing of pavements—also the ■■■■■ of the several Masons and Pavers by him appointed ■■ licensed with the dates of their appointments.**

*A Table shewing the contracts made by the Street Commissioner from May 5th, 1834, to the 20th October, 1834.*

PRICES.															
Date of Contract.	Names of Contractor.	For what Purpose.	Between what Streets.												
			FROM	TO	Paving. sq yard.	Paving. per foot.	Curb per foot.	Gutter per foot.	Bridge pr. sq. ft.	Circular Corners. per sett.	Earth removed. per load.	Earth or Gravel. per load.	Blasting Rock. per c. yd.	Curb reset. per foot.	Gutter relaid.
1834.	Thomas Cummings,	Nineteenth-street regulating & paving	Sixth Avenue to Seventh Avenue.		\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
May 5,	Robert Pettigreu,	Mercer-street, regulating and paving	Sixth-street to Eighth-street.		57 1/2	50	30	20	20	20	04	03	05		
" "	Robert Pettigreu,	15th-st. setting curb & gut'r, pav. 3ft 6.	Union Place to Sixth Avenue.				30	20	20		07	07	08	50	
June 11,	Thomas Cummings,	14th-st. regul'g & setting curb & gutter	Eighth Avenue to Hudson street.		38		28	20	20		03	03	05		
July 15,	Thomas Cummings,	Nineteenth-street, regulating & paving	Ninth Avenue to Tenth Avenue,			48	30	30	20	24		04	02		
" 24,	Robert Pettigreu,	Spurce-street, regulating and paving	Nassau-street to Gold-street,		34		31	31	31	24		02	02		
" 24,	Robert Pettigreu,	William-street, regulating and paving	From near Beekman to Frankford.		22		31	39	39	24		02	12		
Aug. 5,	William Forgay,	Third-street, regulating and paving	First Avenue to Avenue C.		33 1/2					24			02		
" "	William Forgay,	Fifth-street, paving	First Avenue to Avenue C.		33 1/2					24			12		
" "	William Forgay,	Eighth-street, regulating and paving	Avenue D. to east side of Lewis.		29		29	22	22	24	5 75		08		03
" "	Samuel Boyd,	Twenty-first-street regulating & paving	Second Avenue to Third Avenue.		40		30	20	20	24			05		
" "	Peter Smith,	Jefferson-street, regulating and paving	Water-street to South-street.		34		30	20	20	24			05		
18,	Peter Smith,	Jefferson-street, re-paving	Water-street to Cherry-street.		24										
" "	Peter Smith,	Cedar-street, regulating and re-paving	Broadway to William-street,		25		30	20	20		5 00		15		02
" "	Robert Pettigreu,	Fifth-street, regulating and re-paving	First Avenue to Second Avenue,			14	29	20	20						
" 20,	Robert Pettigreu,	Walker-street, regulating and paving	Mott-street to Bowery,		37	24	29	20	20	24		04	08		04
" 10,	Robert Pettigreu,	Barrow-street, regulating and paving	Sixth Avenue to Tenth-street,		20		20	20	20	24			05		
" "	Thomas Cummings,	Gay-street, regulating and re-paving	Waverly-place to Christopher-st.			52	28	19	19	24			12		
" "	Robert Pettigreu,	18th-street, regulating and paving	East side 10th street to Hudson-st.				28	20	20		08				
Oct. 20,	Peter Masterton,	Grand-street, re-paving	Bowery to Forsyth-street.		20		33	20	20	24					

A Table shewing the Contracts made by the Street Commissioner from May 23d, 1834, to the 13th August 1834, for Filling and Regulating Streets, Avenues and Public places.

<i>Date of Contract.</i>	<i>Names of Contractors.</i>	<i>For what Purpose.</i>	<i>Prices.</i>
1834. May 23.	M. Talley,	Regulate Fourth-st. between Avenue A and B.	Eight cents per load for each load of nine cubic feet
1834. July 24.	T. Cummings,	Dig out, fill in and regulate 10th avenue from 25th to 29th str't, and 28th street from Ninth avenue to Hudson river.	Five cents per load for 10 feet for digging and removing off the street or avenue and for removing the earth from one part of the street or avenue to another 3 1-2 cents per load.
1834. Aug't 13,	J. Robinson,	Filling in Tompkins Square between 7th and 8th streets.	Six and a half cents per load of nine cubic feet.

A Table shewing the contracts made by the Street Commissioner for paving side walks, from May 29th, 1834, to June —, 1834.

<i>Date of Contract.</i>	<i>Name of Contractor.</i>	<i>For what Purpose.</i>	<i>Flagging per superficial foot.</i>	<i>Brick per superficial foot.</i>
1834. May 29,	A. B. Thorn,	Regulate and pave the side walks now unlaid in Avenue C, between Houston and 3d street, the side walks now unlaid in third-st. between Avenue C & D, the side walks of Avenue D between 8th and 10th streets, with best Newburg Brick.		<div>Dollars Cents</div> <div>0 05</div>

A Table shewing the contracts made by the Street Commissioner for digging and building wells from the 5th day of May, to August 20th, 1834.

Date of Contract.	Names of Contractors.	For what Purpose.	PRICES	
			Per foot for digging and building.	Per foot for Blasting Rock.
1834.			Dolls. Cents	Dolls. Cents.
May 5,	And'w Knox,	Carmine street between Bedford & Blecker st.	3 00	
Aug. 28,	And'w Knox,	Fifteenth st. between 5th and 6th Avenues.	3 00	
May 16,	J. McDaniels	Eighteenth street near the Ninth Avenue.	2 75	
May 31,	And'w Knox,	Seventeenth street between 9th & 10th Avenues	3 00	
July 24,	Do'ck Haron,	Seventh st. between 2d and 3d Avenues.	2 25	
July 24,	Do'ck Haron,	Twenty-second st. between 2d & 3d Avenues.	3 50	
Aug. 19,	Do'ck Haron,	Near the intersection of Houston & Sheriff st.	3 25	
Aug. 19,	Do'ck Haron,	Cherry street between Clinton and Montgomery street.	2 49	
Aug. 19,	P. M'Cafferty	Twentieth street between 6th and 7th Avenues.	2 50	■ 00
Aug. 19,	P. M'Cafferty	Twentieth street between 7th and 8th Avenues.	■ 50	■ 00
Aug. 19,	P. M'Cafferty	Second street ■■■■ A ■■■■ B.	■ 75	

*A Statement of the Special Contracts made by the Street Commissioner from the 12th of May, 1884, to the 23d Aug. 1884.*

*PRICES.*

<i>Date of Contract.</i>	<i>Name of Contractor.</i>	<i>Nature of Contract.</i>	
May 12, 1884.	T. Parker,*	Sewer 19th st. from Bloomingdale Road to the second Avenue.	\$5 09 per running foot for Sewer—\$3 44 per running foot for Culverts—\$89 00 for each Culvert head—\$0 75 per cubic yard of fast rock blasted—20 cents per cubic yard of earth excavated—23 cents extra per running foot for laying the lower quarter of the brick work in Hydraulic Cement, — estimate for extra work—10 every 25 feet 4 pieces of pine timber 4 by 12 inches, 7 feet 4 inches long, and four pieces 4 by 12 inches 25 feet long for foundation for Sewer—for the sum of \$136—all extra digging 23 cents per running foot—will furnish all the extra brick and mortar and labor in building up the opening on the top of the Sewer for the sum of \$11 00 per thousand.
May 18, 1884.	T. Parker,*	Sewer in 14th street from Union Place to the 6th Avenue.	\$4 93 per running foot for Sewer—\$3 40 per running foot for Culvert—\$89 00 for each Culvert head—\$0 75 per cubic yard for fast rock blasted—20 cents per cubic yard for earth excavated.
June 18, 1884	T. Parker,*	Sewer in 12th st between 6th Avenue and Bloomingdale Road.	\$4 99 per running foot for the Sewer—\$3 40 per running foot for Culvert—\$89 00 for each Culvert head—\$0 75 cents for each cubic yard of rock blasted—\$0 20 for excavating earth per cubic yard.
July 12, 1884.	A. Smith,	Flagging walks in City Hall Park.	12 cents per superficial foot.
Sept. 1st 1884.	J. H. Ritchie,	Sewer in 22nd street between the 2nd and 4th Avenues.	\$5 25 for each running foot of Sewer with stone foundation not laid in Hydraulic Cement—\$4 75 for each foot of Sewer without stone foundation not laid in Hydraulic Cement. \$0 50 for each foot of Sewer the lower quarter of which shall be laid in Hydraulic Cement. \$5 00 for each foot of Culvert with stone foundation—\$4 87 1-2 cents for each foot of Culvert without stone foundation—\$30 00 for each Culvert head—\$1 80 per yard for blasting rock.
Sept. 15, 1884.	S. V. Wemple	Blasting rock on break neck hill between Harlem lane and Kings bridge road.	\$1 00 per cubic yard for blasting rock—\$0 37 1-2 cents for breaking and spreading the same on the road—\$0 12 1-2 for each cubic yard of earth carted on the road.
July 9th, 1884.	Levi Disbrow,	Repair to bored well corner of Avenue D and seventh street.	New pipe of eight inch calibre to the depth of 100 feet for \$7 00 per foot—if good water is not obtained to receive \$650 00 in full for said work.
Aug. 23d 1884.	L. B. Griffin,	Block and bridge in extension of the present pier at the foot of Fulton street, North River.	For the sum of \$6,371 00.

\*Thomas Parker died of Cholera since the commencement of his contract, and Arthur Guin one of his sureties is in progress with the work.

*A List of persons employed in repairing the Pavements of the Streets in the City of New-York, under the Superintendence of Samuel S. Wandell, commencing March 8th, 1834.*

CARTMEN.	When com- menced.	When Dis- charged.]	REMARKS.
John Manahan,	March 8	Aug. 26	Withdrew, and gone to Michigan.
Thomas Faulkner,	do 8		Remains on the work
John Cooper,	do 11	do 30	Discharged for not doing his duty.
David Beatty,	do 11	July 5	Do for want of work
Thomas Bloomer,	do 11	June 21	Withdrew to ride wood for Almshouse.
Barney McLaughlin,	do 11		Remains in the work
Samuel Cree,	do 11		Do do
James Anthony,	April 3	Sept. 22	Withdrew for better work.
Caleb Lathrop,	June 7		Employed occasionally to hoist out stone from vessel.
Patrick Kelley,	do 10	Aug. 2	Discharged for want of work.
James Louge,	do 23	July 19	Do do
John Galagher,	do 28	do 5	Do do
Adam McCandless,	July 14	Aug. 23	Do do
Mathew Burton,	do 7	Sept. 6	Withdrew for better work.
Daniel Devoe.	do 14	do 6	Do do
Bernard Callin,	do 21	July 24	Discharged for want of work.
James Coyle,	do 21	do 24	Do do
James Leeper,	do 21		Remains in the work
Thomas Fauks,	do 21	do 24	Discharged for want of work.
Thomas Gough,	do 21	do 24	Do do
James Gallin,	do 21	do 24	Do do
Alexander Ward,	do 21	do 24	Do do
Micheal Feagan,	do 21	do 24	Do do
Townsend Seaman,	do 21	Oct. 11	Withdrew for better work.
Micheal Higgins	do 21	July 24	Discharged for want of work.



Andrew Canary,	July	21			Remains in the work
Samuel Tredwell,	do	21	July	24	Discharged for want of work
Robert Pettigruce,	do	21	do	23	Withdrew for his own work
Willis Cutler,	Aug.	6	Aug.	5	Discharged for the want of work
Michael McGough,	do	26			Remains in the work
Wilson Sweeny,	Sept.	4	Sept.	26	Discharged for the want of work
Thomas Keogan,	do	15	Oct.	11	Discharged for neglect of duty
John Hannan,	do	29	do	11	Discharged for want of work
John McAllister,	Oct.	13			Remains in the work
George Gaffitt,	do	10	Oct.	11	Empl'o'd occasionally
<b>PAVERS.</b>					
Samuel Frazier,	March	31			Remains in the work
John McFadden,	do	31			Do do
Timothy Hayes,	do	31			Do do
Patrick Mehan,	do	27	Aug.	2	Discharged for neglect of duty
Thomas Hogan,	do	27			Remains in the work
Hercules Campbell,	do	27	Oct.	16	Gone to N. Orleans
William Walsh,	May	10			Remains in the work
Daniel Campbell,	June	6	Oct.	16	Gone to N. Orleans
Thomas Ryan,	do	9			Remains in the work
Patrick Mehan, jun.	do	9	Aug.	2	Discharged for neglect of duty
Peter McCosker,	do	13	Aug.	1	Discharged for neglect of duty
Samuel Twaddle,	do	13			Remains in the work
Hugh O'Rourke,	do	13	Oct.	16	Gone to N. Orleans
John McCully,	July	21	Aug.	2	Discharged for not doing as ordered
John Cummings,	Aug.	5			Remains in the work
Isaah Taggart,	do	6	Oct.	16	Gone to N Orleans
Phillip Buckley,	Oct.	17			Remains in the work
<b>LABOURERS.</b>					
John Keagan,	March	8	Aug.	16	Discharged for neglect of duty
John Crummer,	do	8			Remains in the work
William McGrady,	do	8	Aug.	2	Discharged for neglect of duty
John Shaddy,	do	10			Remains in the work
John Frazier,	do	31			Do do
Daniel Ryan,	do	31			Do do
John Coneek,	do	28	Aug.	2	Discharged for neglect of duty
Con. Sheehan,	do	27	do	2	Do do

William Kennedy,	do	22		Remains in the work
Nicholas Cahill,	do	22		Do do
John Mahony,	do	22	Oct. 16	Gone to N. Orleans
William Green,	June 6	Oct. 16		Discharged for want of work
James Twadle,	March 22			Remains in the work
John Hurley,	May 2	Oct. 16		Discharged for want of work
James Dixon,	do	12		Remains in the work
John McAllister,	do	12		Do do
Edward Mehan,	do	27	May 30	Laborers employ- ed occasionally be- tween those days.
Mathew Mehan,	do	27	do 30	
Patrick McDoney,	do	27	do 30	
David Neagle,	June 7	Sept. 29		
Phillip Cook,	do	18	Aug. 2	
Patrick McGuire,	do	13	do 2	
Hugh Clinton,	do	13	Aug. 16	Discharged for not doing his duty
William Crunmer,	do	13		Remains in the work
William McElvain,	do	19	July 28	Laborers employed breaking stone for M'Adamizing.
John McClerg,	do	19	Sept. 27	
John Murray,	do	20	do 27	
Timothy Murray,	do	20	do 27	
Michael Shannon,	do	19	do 27	Remains in the work
James Keating,	do	20	do 27	
Patrick Downs,	do	28		Do do
Michael Hogan,	do	13		
John McElvie,	do	23	Sept. 5	Laborers employ- ed occasionally in the yard and other places.
Andrew Donohue,	do	26	do 5	
Patrick Farrel,	July 14	July 29		
William Sheridan,	do	14	do 29	
James McGafney,	do	16	do 19	Remains in the work
Edward McIntosh,	do	15	do 18	
John McCarty,	do	15	do 16	
Michael Boden,	do	15	do 16	
Andrew Manahan,	do	12		Remains in the work
Thomas Keogan,	do	23	Sept. 15	Laborers employ- ed in Broadway on the McAdamized part.
Thomas Flynn,	do	21	July 24	
Timothy Keating,	do	11	do 24	
Francis Donelly,	do	21	do 24	
Michael Fitzgerald,	do	21	do 23	
James Ryan,	do	21	do 24	
David Coakley,	do	22	do 24	
Cornelius Ryan,	do	21	do 24	
William Belfry,	do	21	do 21	
Patrick Kennedy,	do	23	do 24	
John Keogan,	do	21	do 24	
Anthony Lynch,	do	23	do 24	
Edward Doran,	do	21	do 21	
Micheal Kief,	do	22	do 24	
John Keagon,	do	21	do 24	

Patrick Farrel,	do	21	July	23	} Employed on the McAdamized part in Broadway.
Patrick Cassan,	do	22	do	24	
Thomas Cannon,	do	22	do	24	
John Lindergerin,	do	22	do	24	
Edward Claney,	do	22	do	24	
Phillip Calaman,	do	22	do	24	
Thomas Kelly,	do	22	do	24	
Patrick Ryan,	do	22	do	24	} Remains in the work
Thomas Gorman,	do	23	do	24	
William McGowan,	do	26			do do
John Williamson,	do	30			
Michael McLoughlin,	do	21	Aug.	9	} Employed occa- sionally.
Timothy Herring,	do	21	Sept.	13	
Michael Burns,	Aug.	13	Aug.	14	
Edward Turner,	do	13	do	14	} Remains in the work
Cornelius Lundergerin,	do	9			
William Johnson,	do	12	Sept.	13	Discharged for not doing his duty
Patrick Mathews,	do	5	Oct.	11	Gone to Ireland
William Taylor,	do	8			Remains in the work
John Hanna,	do	25	Aug.	30	Employed occasion- ally
Hugh Galagher,	do	21			Remains in the work
Anthony Lynch,	do	18	Oct.	16	} Employed as occa- sion required.
David Doak,	do	21	Sept.	25	
James Doak,	do	20	do	6	
James Kelly,	Sept.	2	do	3	
John McCarty,	do	2	do	3	
Thomas Hunchy,	do	5	do	6	
James Gueyney,	do	5	do	6	
Robert Twadle,	do	8			} Remains in the work
John Palmer,	do	11	Oct.	11	
Owen Cunningham,	do	8	Sept.	27	} Employed as oc- casion required.
John Barry,	do	8	do	27	
George Sloan,	do	14			Remains in the work
Flerence McCarty,	Oct.	4	Oct.	10	} Employed as occa- sion required.
John McDougal,	do	4	do	4	
John Keogan,	do	4	do	10	
William Galloway,	do	10	do	11	

I Certify the above to be a true copy from the Books kept by me.

SAMUEL S. WANDELL.

New-York, Oct. 22nd, 1834.

A statement of the names of persons employed by Isaac Caryl, Junr. Repairing Roads under the direction of the Street Commissioner, since May 1834.

Edward Myers  
James Fitzimmons  
Farrell Gillon  
Carle Misheal  
John Buckholdsworth  
Peter Kalfman  
Jacob Chitts  
Jacob Weaver  
John Gregle  
Peter Bigler  
John Misheal  
Peter Gardner  
Daniel Mc Carty  
Patrick Mc Carty  
Michael Oldwell  
Turman Shurman  
James Lee  
Nicholas Burgan  
Jacob Miller  
Falder Gardner  
Michael Swlinger  
Nicholas Hammer  
Jacob New  
Jacob Misheal  
Martin Wingler  
Nause Barencross  
John Murphy  
Jeremiah Sulavan  
John Sulavan  
Jerry Dogin  
Michael Ancler  
Dominick Rohen  
James Mc Callahan  
Patrick Conner  
Richard Kilfie  
Patrick McWilliams

Michael Downey  
John Comstock  
Peter Kelik  
Dennis Kelly  
Abraham Van Bramen  
George Patterson  
Isaac Ginerson  
Hugh McGarie  
Entina Neua  
Patrick Dagin  
Patrick Brinning  
Joseph Carroll  
John Buckholster jr.  
John Styne  
Edward Cohu  
John Harrington  
Michael Berry  
Charles Howard  
John Elderer  
Thomas Harrington  
Patrick Foley  
Michael Shea  
Jacob Hesebery  
Richard News  
William Tyler  
John Peterson  
Alexander Dunlap  
Richard S. Phillips  
Thomas Egan  
John Mills  
Patrick Hogan  
George Gibson  
John Eldred  
William Kennedy  
John Egan

A statement of the names of persons employed by Patrick O'Bryen, Repairing Roads under the direction of the Street Commissioner, since May 1834.

Patrick Mulligan	Michael Eagen
Patrick Fitch	Patrick Hughes
John Sloan	Michael Moore
Patrick Cusick	James Malone
Stephen Dunn	David Donahoe
John Bennett	James Scully
John Gines	Thomas Dolan
Patrick Harrington	Joseph Carroll
Richard Bigley	John Gil'egan
Michael Dillon	David Tyrle
James Cawful	Michael Collegan
Thomas Golden	Michael O'Bryen
Michael Shea	James Gahen
Patrick Kelley	Michael Malone
James Burns	John Stapleton
John Farrall	Charles Caine
Thomas Rourke	James McLaughlin
James Galburn	John Harrington
John Daley	Matthew Hunt
James O'Brien	William Johnston
John Doyle	Thomas Savage
John Gahen	John Riley
Darley Currigan	John Callahan
Richard Austin	Edward Fury
Alex. McDonnell	Peter McCana

A statement of the names of persons employed by Richard Tone, Repairing Roads under the direction of the Street Commissioner, since May 1834.

Thomas Tie	Patrick Ferguson
Patt Horan	William Cleary
Patt Doran	John Megrath
Peter Butler	Thomas Mornon
Edward Mahedy	James Murtock
Michael McLoughlin	Robert Fegan
John Devine	John Murphy
Edward Conron	Patt Larry
John Fegan	Robert Brady
Patt McCabe	Thomas Bready

Edward Bradley  
 John Dougherty  
 James Glennan  
 Francis Cronicon  
 Thomas Hyland  
 Michael Madden  
 Thomas Hogan  
 Andrew Keefe  
 John Dwyer  
 Lawrence Connor

Henry Murtlock  
 Michael Tohill  
 James Doyle  
 Bartley Farrell  
 John Cooney  
 Hubert Madden  
 John Gleesen  
 John Bracken  
 Peter Murray

A statement of the number of persons employed by Daniel H. Odell, Repairing Roads since May 1834, under the direction of the Street Commissioner.

James Cross  
 Patrick Stanton  
 William Malooney  
 William Godfrey  
 William Benningham  
 James Rock  
 Patrick Gaitley  
 Hugh McGroceling  
 Ambey Bernard  
 John Malooney

James Rock  
 Thomas Salter  
 Hugh Donnelly  
 Thomas Donnelly  
 Cornelius Conklin  
 John Crawford  
 Robert Mitchell  
 John Campbell  
 James Brier

A statement of the number of persons employed by David O. Keefe, Repairing Roads, under the direction of the Street Commissioner since May 1834.

Michael Sullivan  
 James Flynn  
 James Riley  
 William Raney  
 Richard Sheehan  
 Patrick Burns  
 James Ryan

William Barry  
 James Rounan  
 Thomas Welsh  
 John Ficks  
 Con. Collins  
 James Tynor  
 William Ryan

A statement of the names of persons employed by Simon V. Wemple, Repairing the Roads under the direction of the Street Commissioner since May 1834.

Wm. Knight  
 Richard Trig  
 Absalom Trig  
 Michael Shea  
 Patrick Sweeny

George Brunson  
 Patrick O'Bryne  
 George Tate  
 William Forsyth  
 John Shaughnessy



**Note.**—The roads on the Island beyond the pavements which require to be kept in repair, comprise an extent of between fifty and sixty miles in length ; and the persons named in the foregoing lists are those who have from time to time, as occasion required, been employed in that labor ; none of them have been constantly employed. If requisite a detailed statement can be made out shewing the particular days and parts of days which each individual has been employed.

Many persons named in the preceding list have been employed but for a short period of time, on occasion required.

A statement of the Pavers licenced by the Street Commissioner to repair Streets (not accepted by the Corporation,) with the date of their appointment and place of residence.

<i>Date.</i>	<i>Names.</i>	<i>Residence.</i>
1834.		
March 29	John O. Hara,	79 Orange Street.
" 31	John McCully,	81 Sheriff do.
June 3	Thomas Brown,	13 Fifth do.
" 6	Andrew Colton,	52 Prince do.
Sept'r. 2	Patrick Mitchell.	196 Orange do.
" 17	John Martin,	Franklin corner Orange st.
" 20	Michael Brady,	6 Goerck Street.

A statement of the names of persons who have been employed to Superintend the faithful performance of contracts made by the Street Cemmissioner, since 13th May, 1834.

<i>Names.</i>	<i>For what Purpose employed.</i>		
William Crockett,	Inspecting Paving of Streets.		
Ira Brown,	do	do	do
Charles W. Baker,	do	do	do
Foster Williams,	do	do	do
Jona'n Lounsberry	do	do	do
Patrick McArdle,	do	do	do
Hiram Slote,	do	do	do
A. Craig,	Superintending the Building of Sewers.		
Joseph M. Clark,	do	do	do
Samuel McCorkle,	do	do	do
John Friselleear,	do	do	do
E. A. Parrott,	do Griswolds and Hart's mud Machine.		

NOTE.—The persons named in the above list are employed at intervals, from time to time, as the work on the contracts may require—and are not considered as being permanently employed.

**DOCUMENT NO. 21.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 27, 1834.**

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Report of the Committee on Laws on the Resolution to enquire into the expediency of applying for a repeal of the Law limiting the operation of the Ordinances of the Common Council for three years—adopted and ordered to be printed.

**R. FISHER, Clerk.**

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*Resolved,* That it be referred to the Committee on Laws to enquire into the expediency of applying to the Legislature for a repeal of the clause in the Charter of this City, which limits the operation of the Laws and Resolutions of the Common Council to a term of three years. Offered by William Samuel Johnson.

The Committee on Laws to whom was referred the annexed Resolution, directing them to enquire into the expediency of applying to the Legislature for a repeal of the

Law limiting the operation of the Ordinances of the Common Council to the term of three years—respectfully

### REPORT—

That the limitation in question is to be found in the 274th section of the "Act to reduce several laws relating particularly to the City of New-York, into one act," passed April 9th, 1813, in the following words: "That all Laws and Ordinances of the said Mayor, Aldermen and Commonalty, in Common Council convened, may remain and continue in force for and during the period of three years from the passing thereof, unless the same shall be repealed by the said Common Council, or enacted for a shorter period—and shall always be renewable at the pleasure of the said Mayor, Aldermen and Commonalty in Common Council convened." Your committee have not been able to discover any earlier enactment to the same effect by the Legislature, nor does the Charter of the City contain any clause imposing the above restriction upon the operation of the City Ordinances. By the Charter granted in 1686, under King James the 2d, it was provided that the Laws, Orders, Ordinances and Constitutions to be made by the Common Council of this City, should be and remain in force for the space of three months and no longer, unless they should be allowed of and confirmed by the Governor and Council for the time being (see Charter page 13);—And by the Charter granted in 1730, under King George the 2nd, the duration of the Ordinances of the Common Council was extended to twelve months and no longer, unless they should be so allowed and confirmed (see Charter page 63). Those provisions in the Charter have ceased long since to be operative; and if they had even remained so up to the time of passing the act of April 9th, 1813, above mentioned, they would have been superceded and in effect repealed by the clause herein before recited from that Act.

Your Committee are not aware of the reason which prompted the passing of the above enactment, possibly it may have been for the purpose of reminding the Common Council of the propriety of revising their Ordinances periodically; but whatever may have been the object intended, they are well convinced that the continuance of such a provision is not only wholly unnecessary, but might lead to inconvenience and confusion: If it should so happen that the Common Council should inadvertently allow the period of three years to expire without re-enacting their Ordinances, the City would be without Laws until a new set should be passed, and all proceedings carried on in the meantime under colour of the Ordinances supposed to be still in force would be void. Such an occurrence is by no means improbable, and was, as your Committee are informed, very near happening in the year 1830, having been only prevented by a wholesale re-enactment of all the existing Ordinances, a few days before the expiration of the three years. It is dangerous in the opinion of your Committee, to allow the stability of the City Laws to depend upon the memories of Members of the Common Council, who are changed almost every year, and many of whom in all probability may be entirely ignorant of the restriction imposed by the Statute of the State; nor should the responsibility of preventing such an occurrence rest upon the Officers of the Corporation, who however vigilant, might fail to advert in season to the necessity of ■ re-enactment.

There can be no doubt of the propriety of causing a general revision of the Ordinances, every few years, but such a measure will always be suggested by its own necessity, and the Common Council must always have the power of determining when that necessity exists.

Your Committee cannot suppose that the Legislature would hesitate to repeal the said Law, if the Common Council should apply for such repeal. The control which

that body has the power of exercising over the Ordinances of the Corporation of this City would not be impaired by such a measure; and the municipal regulations of the City would be thereby placed upon a firmer basis: They conclude therefore, by offering the following Resolution.

*Resolved*, That the Council be directed to prepare the draft of an Act to repeal the said provision in the Act of April 9th, 1813, and that the same be forwarded to the Legislature with a suitable Memorial for its passage during the next session of that body.

HORACE HOLDEN,  
WM. SAMUEL JOHNSON, } *Law*  
F. A. TALLMADGE, } *Committee*

*New-York, 27th Oct. 1834.*



**DOCUMENT NO. 22.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 27, 1834.**

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Resolution to enquire into the compensation to be allowed to persons acting under the Aldermen and Assistants of the Wards as Harbor Masters—referred to the Committee of Finance.

**R. FISHER, Clerk.**

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*Resolved,* That the Committee of Finance be directed to report whether any, and if so, what amount of compensation should be made to the person appointed by the Alderman and Assistant of each Ward to attend to the duties assigned by law to such Alderman and Assistant,

in relation to the placing and lying of Vessels within the respective Wards in the public Docks, Wharves and Slips. Offered by J. J. Boyd.

The Committee of Finance of the Board of Assistant Aldermen, to which was referred the annexed Resolution, beg leave respectfully to

### REPORT,

That by title 2d, chapter 34 of the Laws and Ordinances of the Corporation, the Mayor, Recorder, Aldermen and Assistant Aldermen, are made *de facto* Harbor Masters, for regulating the lying of Vessels at or within all the public Wharves and Slips.

By the 2d section of the title "the Alderman and Assistant Alderman of each of the Wards in this City respectively, may by writing, under their signatures appoint a discreet person for the purpose of directing the removal and disposition of Vessels in each of their Wards." "Such persons when so appointed shall be under the control and direction of the Aldermen and Assistant Aldermen of this City."

It is obvious that the other duties assigned by Law to the Mayor and to the Recorder, will prevent them from attending to any part of the duty thus prescribed to them; and equally true is it, that the individuals who are called upon for its performance are the Alderman and Assistant Alderman of the Ward within which the Wharves, Piers or Slips may be situated. The Law therefore allows them to appoint a representative. The duties in some of the Wards are arduous and call for much of the time of any individual to whom their performance may be confided: And yet the Law specifies no compensation for them.

The trueism "that gratuitous services are not *always* the cheapest nor the best," will fully apply to those of the individual who may be appointed to represent ■

Harbor Master the Alderman and Assistant Alderman. Whatever may be his honesty and his talents, and however "discreet" he may be, he will not serve quite gratuitously. Nor can it be expected that he should.

Your Committee deem it but just that a fair compensation should be allowed for the services of such Officer, whenever they may be required, and thus beg leave to submit an Ordinance to designate the fees.

LAMBERT SUYDAM,	} Committee	
WM. SAMUEL JOHNSON,		of
J. J. BOYD.		Finance,
<i>Board of Assistant Aldermen.</i>		

## A LAW

To define the Fees and Compensation to the persons who may be appointed in virtue of the authority given by Title 2d, Chapter 34.

The Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened—do ordain as follows :

*Section 1.* The person or persons appointed by the respective Aldermen and Assistant Aldermen of each or any of the Wards of the City, in pursuance of the power given by Title 2, Chapter 34, shall be entitled to demand and recover for the services required of him or them, One Dollar and Fifty Cents from any person or persons applying to have and having a berth assigned to a Vessel at or within any of the public Docks, Wharves, Piers or Slips. One Dollar from any person requiring other services than the assigning a berth for a Vessel. Such services being rendered between rising and setting of the sun, but should they be rendered before or after such period, then double the rates above specified.

**DOCUMENT NO. 23.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 27, 1834.**

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Report of the Committee on Laws relative to ■ **new** arrangement of certain Offices in the City Hall—ordered to be laid on the table and printed.

**R. FISHER, Clerk.**

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The Committee on Laws to whom it was referred, to enquire whether any and what different arrangements can be made for the better accommodation of the several Offices in the City Hall.

**RESPECTFULLY REPORT :**

That they have very carefully considered the subject embraced in the Resolution and have examined the several Offices in the City Hall which require attention, and that it appears to the Committee, as well from their own examination and inspection, as from the representation of the Officers interested, that several important changes must be made, in order that the public business may be transacted with convenience and despatch.

The great and constant accumulation of the business to be transacted at the Offices of the Assistant Register in Chancery, and of the Clerk of the Superior Court, imperatively calls for more extensive accommodations.

The Chambers also, at present occupied by the Judges of the Superior Court, are by no means sufficiently large for the proper accommodation of the great numbers who are frequently called in attendance there at the same time; and the fact that the Vice Chancellor of this Circuit has no Office at the Hall for the transaction of business, is productive of serious inconvenience to the gentlemen of the bar.

The Committee having frequently examined all the premises, are perfectly satisfied that some new arrangement ought to be made, and with a view to meet and relieve the existing difficulties, they recommend the following changes to be made.

1. That the large room assigned to, and at present occupied by the Superior Court, be divided by a partition to include the three easternmost windows, which will leave a much more convenient and agreeable Court room than the present, and meets the unanimous approbation of the Judges and Clerk of the said Court.

2. That the easterly division of the said room be fitted up under the direction of the Superintendant of Repairs for the use of the Assistant Register in Chancery.

3. That the Clerk's Office of the Superior Court be transferred to the room now occupied by the Assistant Register in Chancery as soon as the preceding arrangement can be effected.

4. That the Recorder's Office be removed to number , the room formerly occupied as an Office by the Circuit Judge, and which is sufficiently large to accommodate the Recorder, and more contiguous to the Criminal Courts.

5. That the Chambers at present occupied by the



Judges of the Superior Court be removed to the Office at present occupied by this Recorder.

6. That the room now occupied by the Judges of the Superior Court be assigned to the use of the Vice Chancellor of the Circuit.

The Committee recommend that these changes be effected with all possible despatch, ■ it is necessary that arrangements for the winter should be made immediately.

HORACE HOLDEN,	}	Committee on Laws.
F. A. TALLMADGE,		
WM. SAMUEL JOHNSON,		

*New-York, 15th October, 1834.*

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...the ... of the ...

HORACE HOLDEN,  
F. A. TALLADGE,  
WM. SAMUEL JOHNSON.

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**DOCUMENT NO. 24.**

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**BOARD OF  
ASSISTANT ALDERMEN,  
NOVEMBER 10, 1834.**

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Report of the Street Commissioner on an Ordinance from the Board of Aldermen for constructing a Sewer in Avenue C,—laid on the table, made the special order for next meeting, and ordered to be printed.

**R. FISHER, Clerk.**

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The Street Committee of the Board of Assistants, to whom was referred a draft of an Ordinance that a Sewer be constructed in Avenue C,—passed by the Board of Aldermen on the 12th of August, last past—

**RESPECTFULLY REPORT:**

That the proposed Ordinance provides “that a Sewer be constructed in Avenue C, of suitable size and dimensions for carrying off the waters which will congregate therein, when the Streets which intersect it are regulated agreeably to the profiles in the Street Commissioner’s

Office, under such directions as shall be given by the Street Commissioner and one of the City Surveyors.” It will be observed that this Ordinance is one in the common form,—leaving the plan, construction and detail of the Sewer, entirely at the discretion of the Street Commissioner and one of the City Surveyors; merely directing that the Sewer be made of *suitable size and dimensions* under such directions as shall be given by the *Street Commissioner and one of the City Surveyors*. The Committee would not impeach the correctness of this form of Ordinance, nor the latitude of discretion it vests in the Officers of the Corporation, in cases which do not involve special circumstances; but rather on the contrary, the Committee are disposed to approve of leaving the business of the Corporation to the managements of the Departments, under general rules and instructions, established by the Common Council for their government. In the opinion of this Committee however, the ordinance referred to them, is connected with special circumstances which renders the passage of it in its present form out of time, and improper.

The question of building a Sewer in Avenue C has heretofore been considered by this Committee, on a reference to them of a Resolution of the Board of Aldermen, and a report thereon by the Street Committee of that Board of the 9th of June last, (being the printed Document No. 8, of the Board of Aldermen of the present year.) This Committee recommended a concurrence with the Board of Aldermen in the adoption of that Report and the Resolutions appended thereto; and the same were concurred in by the Board of Assistants, on the 30th day of June, last past. By a reference to that Report and to the Resolutions appended thereto, it will appear, that for the reasons in that Report set forth, the Committees of both Boards were of opinion, and in such opinions the Common Council have concurred, that Avenue C ought to be

widened from its present width of sixty feet to a width of eighty feet,—that a Sewer ought to be built in Avenue C, from 15th Street as far southwardly towards 3rd Street as may be found necessary; and that the pavement of Avenue C ought to be continued from 5th to 10th Street. The time when this Sewer should be built, or Pavement laid, was not recommended by the Committee of either Board, or determined on by the Common Council; but although the Report and Resolutions are silent on that subject, this Committee at the time of making their report before referred to, did not contemplate the commencement of the works, during the present season.

It will be observed that the Report discusses and decides on three subjects referred to the Committees, namely:—The widening of the Avenue—the building of the Sewer, and the Paving of the Avenue. These three subjects are very intimately connected; and although the two latter subjects do not absolutely depend upon the first; to wit, the widening of the Avenue—still, if the Avenue be widened, ten feet of land on each side of it now in the lots, will not be subject to assessment for the cost of the Sewer; but will be subject to assessment if the Avenue be not widened; and so long as the section of the City in which this Avenue lies, shall be as little in requisition for occupation by buildings as it bids fair to be by the next spring, precedent, expediency would seem scarcely to direct the building of the Sewer, or the paving of the Avenue, or the erection of buildings on the line of the Avenue before the question of widening the Avenue should be settled.

Avenue C lies in that portion of the City covered by the Commissioner's Map of 1811. It cannot therefore be widened or altered, without the action of the State Legislature: and after the law shall be passed, the necessary proceedings must be had in the Supreme Court, and these proceedings cannot be completed before midsummer, though the widening of the Avenue, will before spring, be

a matter of sufficient certainty to justify the building of the Sewer : and if the Sewer be not commenced until spring, the period for fixing the Assessment will not arrive before it will be fully ascertained whether said ten feet on each side of the Avenue will or will not be a subject of Assessment. And again the action of the Legislature could not be had until the winter shall have been so far advanced, ■■ to preclude the building of Aqueducts by Masonry. One of the Resolutions appended to said Report declares, " that it is expedient to widen Avenue C from 3rd to 15th Street to ■ width of eighty feet, and also that application be made to the Legislature of the State, at its next session, for the passage of a law to that effect." This Resolution seems constructively to fix a time by the action of the Common Council, short of which the building the Sewer was not to be commenced.

The Committee have before expressed the opinion that the passage of the proposed Ordinance in its *present form*, is out of time and improper. That it is out of time, appears in part by the reasoning above given. And by the second Resolution annexed to the before mentioned Report, after deciding that it is expedient to construct the Sewer, the Street Commissioner " is instructed to prepare a plan for that purpose with sufficient *drawings and specifications in detail*, shewing the *proposed size and mode of construction*, and *submit the same* to the Common Council for their final action." The plan, drawings and specifications, contemplated by that Resolution, have not been furnished. No dereliction of duty is charged upon the Street Commissioner in not furnishing them ; and your Committee are firmly of opinion, that no such charge is intended, or could be supported against that eminently, faithful and valuable officer. And no reason is given why the Common Council should change their opinion, and by the passage of the Ordinance in question, revoke the the opinion expressed in the resolution last quoted ; or in



other words, why they should now order the Sewer to be built of "suitable size and dimensions, under such directions as shall be given by the Street Commissioner and one of the City Surveyors," without supervision or action of the Common Council; when by that Resolution, they directed that the plan, drawings and specifications should be first submitted to them for their action, before the Street Commissioner should proceed to the work. The plan, drawings and specifications not having been furnished to the Common Council, this Committee are of opinion that the Ordinance referred to them is premature.

There are in the opinion of this Committee some circumstances connected with this Sewer which are special in their nature, and seem to take it out of the general rule of discretion, committed to the Officers of the Corporation in such cases.

It is well known that Avenue C lies in that section of the City known as "The Stuyvesant Meadows." This Avenue has been formed by filling in earth to the height of several feet above the natural surface of the Meadows.—The natural formation of the Meadows, is a soft spungy sod of alluvial soil, interlaced with roots of grass, of about 12 or 15 inches in thickness, resting on a bed of soft salt marsh mud, varying in depth from five to fifteen feet, down to the solid ground on the line of Avenue C and each side of it for 100 feet.

This Sewer cannot be laid to a sufficient depth to effect the objects of it, without going below the solid made ground, and down to the substratum of marsh mud, and on and in this mud the Sewer must rest, and its foundation be so constructed as to bear its weight. Various plans of effecting this may be proposed, differing from each other in their features, and qualities and expense, and presenting nice questions of expediency in reference to many circumstances, and on which the judgment of the Common Council would be very properly exercised, even

if it be not their duty to exercise it. Such was the course of the Common Council in the cases of the great Sewers in Canal street and Carmine street; and by referring back to the proceedings in those cases it will appear, that the plans and modes of the construction of those Sewers, were determined on by special votes of the Common Council. The Resolution directing the plans, drawings and specifications, to be submitted to the Common Council, the Committee consider properly and wisely adopted; and as the circumstances under which that Resolution was passed, have not changed, they see no reason for a change of opinion in the Common Council. Again: the Committee know of no Resolution relating to the subject in question other than those before noticed; and neither of those Resolutions direct the preparation of, or warrant such an Ordinance as is referred to them; and the same does not conform to any Resolution passed by the Common Council. It is therefore both out of time and improper, not only in its form but in its substance. The Committee are, however, informed by the Street Commissioner, that the plans, drawings and specifications for the Sewer in Avenue C, are in the course of preparation, and will be ready for submission to the Common Council in about a fortnight.

The foregoing facts and matters seem to this Committee to dispose of the main subject referred to them; but there are other matters which bear on the subject, and may affect the judgment of the Common Council on some points of expediency, and especially as to the time of commencing the work of building the Sewer, and the rapidity with which they will press on the work to its completion. It will be observed that this Committee do not touch the question of the propriety of building a Sewer in Avenue C, at some time or other. They deem that question settled by the Resolution before referred to, and rightly settled by that Resolution.

Under the Rule settled by the Supreme Court in the case of the Canal Street Assessment, (*Le Roy vs. the Mayor, &c. of N. York*, 20 Johns. Rep. 430) the expense of building the proposed Sewer in Avenue C, must be assessed "upon all the owners or occupants of houses or lots included within the district from whence the water will flow into the Sewer." This district will comprise most of the land between 3d street and 15th street, the Bowery and Avenue D. It is estimated that the cost of the proposed Sewer will not be less than \$50,000.

This district of ground is intersected by the Avenues from A to D, and from 1st to 3d inclusive, running north-erly and southerly; and by the streets from 2d to 15th inclusive, running eastwardly and westwardly; and contains about 300 acres of land. Nearly in the centre of the district Tompkins Square is situated. It is well known that a vast work in filling up the portion of the Stuyvesant meadows comprised in this district, has been to a great extent effected, and the said several streets and avenues nearly raised to the city graduation by the enterprise of private individuals owning land in the district. And the Committee deem it the policy if not the duty of the Corporation to yield to them every reasonable aid and indulgence consistent with the nature and object of their corporate powers. In addition to the work of filling in, thus done by individuals, without the agency of the city authorities, other large works for regulating and paving the streets and avenues have been done, through the agency of the city authorities; the expense of which is so far as the same remains unpaid a lien upon the lots adjoining to or benefitted by the works. A Schedule is hereto annexed, furnished from the office of the Street Commissioner, showing the amount of the liens for public works and assessments, now affecting this district. By reference to which, it will appear that the unpaid assessments for

regulating and paving, amount to the sum of	\$60,378 99
For opening Tompkins Square, to the sum	
of - - - - -	39,805 00
For opening 8th street, to the sum of -	189 81
To which add the estimated cost of the	
Sewer in Avenue C, - - - -	50,000 00

And we have the gross sum of - - \$150,373 80  
 which, on the completion of the Sewer, will form a charge  
 upon the lots in the district in question.

The cost of the opening of Tompkins Square and Eighth street, has been paid out of the city treasury, under the general law, which requires the city to pay to the owners of property damaged by the opening, widening or altering any street, park or place, the amount of damages awarded to them respectively, in four months after the Common Council shall direct the improvement to go into effect; a further appropriation of \$20,000 has been made from the city treasury for the filling up, &c. of Tompkins Square, and it is now in the course of rapid expenditure. The finishing of that Square, with an iron fence, its shrubbery and trees, and finishing the surrounding streets, will probably cost \$50,000 more—unless the original plan be pursued of filling up this Square by depositing in it the rubbish of the city as it shall from time to time, for some years, be supplied by the cleaning of the city. These two latter sums do not form a charge upon the lots benefitted by the improvement.

The expenses of regulating and paving Streets stand upon different grounds. Although these works are effected through the agency of the City Authorities, still they are done by contract with the workmen; and it is the uniform rule of the Corporation, to agree to pay only as fast as the Assessments for the works shall be collected from the owners of the benefitted property; and their practice is in conformity with this rule, where the property benefitted is amply responsible for the payment, and the owners pay

up within a reasonable time : but in cases where the property assessed is questionable security, and the payments by the owners long delayed, notwithstanding the freedom of the Corporation from all obligation to pay, the urgency of the creditor workmen becomes so great and pressing, that the City is brought to yield to their demands, and to order payment to be made out of the City Treasury.— Such is the case with respect to the Assessments mentioned in the schedule annexed for Regulating 5th Street from Avenue A to Avenue C, the original advance for which by the Corporation was \$28,105 92, on the 5th of August, 1831, of which the sum of \$22,165 92 now remains due to the Treasury, with interest, and applications for like advances for the amounts due several of the other streets have been made to the Common Council.

The several Assessments and amounts due, mentioned in said schedule, when classed and condensed, are as follows :—

For East and West streets—

Regulating and Paving 3d street, the sum of	\$1,221 72
do. 4th do. do.	7,311 14
do. 5th do. do.	25,915 08
do. 6th do. do.	2,132 65
do. 7th do. do.	1,401 04
do. 10th do. do.	13,236 19

For North and South streets—

Regulating and Paving Avenue B	6,784 69
do. do. C	1,779 44
do. do. D	337 12
do. Lewis-street	259 92

In addition to which, Resolutions and Ordinances have already passed both Boards, for regulating and paving the following streets, viz :—

For paving 5th street from 1st Avenue to

Avenue C, estimated at the sum of - \$2,680 00



For paying 3d st. from 1st Avenue to Avenue C, estimated at the sum of - - -	2,680 00
For paving 8th Street from Avenue D to Lewis-street, estimated at the sum of - -	800 00
And for regulating 7th Street from Astor's line to Avenue C, estimated at the sum of - -	9,700 00

Thus raising the before-mentioned gross  
sum of - - - - - \$166,223 80

Resolutions for the further extension and regulating and paving of Avenue A, and regulating of Avenue B, are pending before the Boards, or their Committees, and the project of forming the East Battery must soon be entertained. The expense of this class of works is, or must be assessed, upon the property which fronts on the improvements respectively, and that of the intersections of the streets on the cross streets, to the distance of half way down the adjoining blocks of ground.

The Assessment for opening Tompkins Square, and building the Sewer in Avenue C, covers, or will cover, for the most part, the same land; as the Tompkins Square Assessment covers the land bounded southerly by 1st and 2d streets, northerly by 14th and 15th streets, westerly by the 3d Avenue, and easterly by the East river.

The Committee have the honour to submit these facts, as affecting in some degree the question referred to them; but recommend no specific action of the Common Council founded on the amount of money for which the Stuyvesant Meadows are now, or soon will be, debtor. They, however, remark, that it is often urged that the owners of property, in these cases, only ask for leave to spend their own money in the improvement of their own property, and that if the City does advance the money, they borrow it at 6 per cent. interest, and get 7 per cent. The Committee deem these propositions fully answered, by stating to the first of them, that the City is often compelled to ad-



vance its monies for the improvement of the property of individuals, and re-imburse itself by an increase of its loans, and ultimately of its taxes, in anticipation of the final payment of the Assessments by the parties concerned ; and to the second, that they find nothing in the City charters authorising the Corporation to become a money-lender for profit ; and they are confident, that the business cannot be carried to a much larger extent without an increase of officers in the offices of the Comptroller and Street-Commissioner. There is no section of the City which has been so much aided by the funds of the public as the Stuyvesant Meadows, and the Committee are fully of opinion that no section of it is so deserving of its aid.

In conclusion, the Committee most respectfully state it to be their opinion, that the Ordinance referred to them ought not to be passed ; and that no further action of the Common Council, in respect to the building of the proposed Sewer in Avenue C, ought to be taken, until the Street Commissioner shall submit to the Common Council the plan, drawings, and specifications for the Sewer mentioned in the second resolution of the 30th day of June last past ; and that the building of the Sewer ought not to be commenced before spring ; but they see no objection to Common Council proceeding at an early day to settle the plan and mode of construction of the Sewer, and they recommend for adoption the following resolution :—

*Resolved*, That this Board does not concur with the Board of Aldermen in the passage of an Ordinance for constructing a Sewer in Avenue C, passed the Board of Aldermen on the 12th day of August last past.

Most respectfully submitted,

WM. SAMUEL JOHNSON,	} Committee on Streets.
ROBERT SMITH,	
SAMUEL PURDY.	

Nov. 10th, 1834.

*Schedule referred to in the preceding Report of the Street Committee.*

<i>When Confirmed.</i>	<i>On what Street.</i>	<i>For what Assessed.</i>	<i>Am't Assessed</i>	<i>Amount Paid.</i>	<i>Balance due.</i>
1833. February 28,	Third Street,	Paving between Avenue C and D,	1438 63	1405 46	33 17
September 9,	do do	Paving from Avenue C to 150 east of same,	337 80		337 80
1834. January 14,	do do	Regulating and Paving from Lewis to Mangin,	1104 70	706 30	398 40
" 28,	do do	Curb and Gutter between Avenue C & 1st Avenue,	2307 35	1855	452 35
" 4,	Fourth do	Regulating from Avenue C to B,	3714 12	200	3514 12
" 14,	do do	Pitching, &c. between Avenue C and D,	3919 20	885	3034 20
July 17,	do do	Paving between Avenues C and D,	1699 82	937	762 82
1830. June 28,	Fifth do	Regulating between Avenue A and C,	28105 92	5940	22165 92
1833. June 25,	do do	Regulating between Avenue A and D	680 38	155	525 38
September 24,	do do	Curb and Gutter from Lewis to East River,	771 59	250	521 59
October 8,	do do	Paving from Avenue D to C	1851 68	220	1631 68
1834. February 18,	do do	Regulating & Curb & Gutter from 1st Ave. to ave. C	2313 51	1243	1070 51
" 28,	Sixth do	Paving between Avenue D and Lewis street,	672 73		72 73
April 15,	do do	Regulating between Avenue C and D	2059 92		2059 92
1833. February 28,	Seventh do	Paving between Avenue D and Lewis street,	601 95	446	155 95
July 2,	do do	Paving between Avenue C and D	1596 7	350 98	1245 9
November 19,	Tenth do	Regulating from Avenue B to C	2819 58	1540	1279 58
1834. December 17,	do do	Regulating from Avenue C to D	1679 34	941	738 34
1833. January 28,	do do	Regulating from second Avenue to Avenue D	11907 27	689	11218 27
February 28,	Lewis do	Paving from 4th to 8th Streets,	2560 24	2300 32	259 92
June 25,	Avenue C	Regulating from 4th to 10th streets,	6192 4	4607	1585 4
September 10,	do do	Paving from second to third streets,	704 40	510	194 40
1834. January 14,	do do	Regulating from eighth to tenth streets	867 58	705 19	162 39
" 28,	D D	Paving from eighth to tenth streets,	1565 75	1391 M	174 73
" 28,	B B	Regulating and Curb and Gutter from 5th to 2nd sts	1296 2	480	746 2
August 5,	do do	Regulating between 5th and 10th streets.	10163 61	4124 94	6038 67
			92861 20	32482 21	60378 99
1834. March 31,	Tompkins Square.	Opening	93358 75	53553 75	39805
April 21,	Eighth Street,	Opening	522 81	333	189 81

The Street Commissioner herewith presents the draft of an Ordinance for constructing a Sewer in Avenue C of suitable size and dimensions for carrying off the waters which will congregate therein, when all the intersecting Streets are regulated agreeably to the profiles in the Street Commissioner's Office, in order that it may be passed and Assessors appointed thereto.

Respectfully submitted,

GEO. B. SMITH,  
*Street Commissioner.*

Street Commissioner's Office, }  
August 12, 1834. }

AZARIAH ROSS,  
LAWRENCE P. JORDAN, } *Assessors.*  
ROBERT AINSLIE, }

*First Ordinance for constructing a Sewer in Avenue C.*

BE it Ordained, by the Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened, This            day of            one thousand eight hundred and thirty-four.

That a Sewer be constructed in Avenue C of suitable size and dimensions for carrying off the waters which will congregate therein when the Streets which intersect it are regulated agreeably to the profiles in the Street Commissioner's Office, under such directions ■■ shall be given by the Street Commissioner, and one of the City Surveyors.

*And be it further Ordained,* That Azariah Ross, Lawrence P. Jordan, Robert Ainslie, be and they are hereby appointed to make ■■ estimate of the expense of conforming to the provisions of this Ordinance, to make a just and equitable Assessment thereof, among the owners and occupants of all the Houses and Lots intended to be benefited thereby, in proportion as nearly as may be to the advantages which each shall be deemed to acquire.

*City of New-York, ss.*

WE, whose names are hereunto subscribed, do severally swear, that we will make the estimate and assessment directed by the above Ordinance, fairly and impartially, according to the best of our skill and judgment.



1. The first of these is the fact that the  
theoretical basis of the theory is not  
adequate to the facts of the case.



**DOCUMENT NO. 25.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 10, 1834.**

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Report of the Joint Committee on Blackwell's Island and the Long Island Farms, laid on the table, made the special order for the next meeting, and ordered to be printed.

**R. FISHER, Clerk.**

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The Joint Special Committee of the two Boards of Aldermen and Assistants, on Blackwell's Island and the Long Island Farms, to whom was referred the General Report of the Commissioners of the Alms House,

**RESPECTULLY REPORT :**

That they have had this valuable document under their consideration which embraces a variety of subjects of high interest to the City, and your Committee intend on some future occasion to consider and express their views generally in relation thereto.

At present they confine themselves to that part of the Commissioner's Report which relates to the Children of the Alms House and the School established for them on the Long Island farms.

In a population of 250,000, liable only to the casualties to which human nature is always subject, it must be expected that great numbers of children, from the first period of their birth, until they arrive at adult years, will continually become the objects of public charity; but, in addition to such children, the public have now to support a greater than their usual number, from the two seasons of fatal sickness with which our city has lately been visited. Intemperance of parents has increased greatly the number of pauper children; and the emigration of foreigners, which within the seven years previous to 1834, as appears by the Commissioners' Report, amount to nearly 200,000, is another fruitful source not only of adult but juvenile pauperism. It is no common circumstance for the husband to precede the wife and children in their emigration to this country, and on the wife's arrival, the husband has sought employment in the Western States, or cannot be found, or has not realised his expectations, and in many instances whole families of such children must be received into our charitable establishments, or they must suffer.

The Children Department of the Alms House now amounts to 682. They must be taught the elementary branches of an English education: they must, as far as possible, be taught habits of industry, and be made to do light work (suitable to their years) in the cultivation of the grounds. The Commissioners have appointed a person whom they have reason to believe well-calculated to take charge of the whole establishment, and particularly to instruct them in the morals and the principles of our revealed religion, as the best guarantee of their future useful ways and good conduct.

The Commissioners have adopted a rule that they will

teach all these children to read and to write, under all common circumstances, before they bind them out. When it is considered what little opportunity these children have after they are bound out, either to farmers or mechanics, to go to school, the Common Council will, we doubt not, approbate this rule of the Commissioners. If our Republican form of government is to be sustained, it must be by diffusing knowledge and creating an ability to judge of its blessing among our whole population.

It is no sufficient answer to say that we support Public Schools, and expend near \$100,000 annually for this purpose ; it must not be forgotten, that the class of poor to whom we refer *are not rich enough* to participate in this bounty—the present Public School system virtually saying to the parents of children, if you can board and clothe your children, we will instruct them ; but if not, we can do nothing for them.

The rule referred to, as adopted by the Commissioners, and the increase of children from the other causes referred to, require that an additional building be furnished at the Farms.

Your Committee, therefore, recommend that a main or front building of 85 by 45 feet, with a rear building of 100 feet in length, by 35 feet in breadth, be erected on the Long Island Farms without delay, to be two stories, and to be built of wood : the southern part of the basement story to be finished as a kitchen, the first floor as an eating-room, and for the accommodation of the principal and matron of the establishment, the second story as a school-room, the rear building to be finished exclusively for sleeping-rooms.

The Committee have examined a draft submitted to them, and approve of the same ; the cost of which is estimated at \$10,000.

They respectfully offer the following resolution :—

*Resolved*, If the Board of Assistants concur therein,

that the Commissioners of the Alms House, under the direction of this joint Committee, erect an additional building on the Long Island Farms, for the accommodation of the Alms House' children, on the plan herewith submitted ; and that the sum of \$10,000 be appropriated to carry this resolution into effect.

All of which is respectfully submitted.

JOHN J. LABAGH,  
ROBERT C. CORNELL,  
JOSEPH TUCKER,  
WM. SAMUEL JOHNSON,  
SAMUEL PURDY.

According to the estimate received, the building will cost \$10,000.

JOHN J. LABAGH,  
ROBERT C. CORNELL,  
ROBERT SMITH,  
WM. SAMUEL JOHNSON,  
JOSEPH TUCKER,  
SAMUEL PURDY.

*Resolved*, That so much of the Report of the Commissioners of the Alms House, as relates to ■ Building for the Children on the Long Island Farms, be referred to this Joint Committee on Blackwell's Island and Long Island Farms.

Whereas, The number of Children under the charge of the Commissioners of the Alms House have increased to 680, (exclusive of 131 at nurse,) which is a greater number than can be accommodated in the buildings on the Long Island Farms,—

Therefore *Resolved*, That it be referred to the Joint Special Committees of the two Boards on Blackwell Island and Long Island Farms, to confer with the Commissioners of the Alms House, upon the expediency of erecting an additional building upon the Long Island Farms, for the accommodation of Children ; and to report a plan and estimate of the cost of such building, should it be deemed expedient to erect one. Presented by R. C. Cornell.

**DOCUMENT NO. 26.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 10, 1834.**

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Communication from Jameson Cox, Superintendant of Alms-House, on the subject of Alien Paupers,—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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*To the Board of Assistant Aldermen of the City of New-York :*

GENTLEMEN,—In answer to a Resolution passed October 27, 1834, I have to state that we had on the 1st of November, instant, in the Alms-House 1869 persons, of

which number 999 were natives, and 870 born in foreign countries, of which 465 are Aliens (not naturalized.)

*Places of Nativity, viz :*

Ireland,	-	-	-	-	-	305
England,	-	-	-	-	-	88
Scotland,	-	-	-	-	-	23
Germany,	-	-	-	-	-	34
France,	-	-	-	-	-	7
West Indies,	-	-	-	-	-	1
Portugal,	-	-	-	-	-	1
Poland,	-	-	-	-	-	3
Italy,	-	-	-	-	-	2
Prussia,	-	-	-	-	-	1

---

Total, 465

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Of the above number 403 are Adults and 62 are Children, 415 was about the average number in the Alms-House during the last twelve months.

184 have been in the City two years and under.

180 have been in the City between 2 years and 10 years

58 have been in the City between 10 do. and 20 years

19 have been in the City between 20 do. and 30 years

24 have been in the City between 30 do. and 40 years

---

465 Total.

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24 of the number first mentioned are bonded and supported by the owners of Vessels in which they arrived, and



the remainder (it may be presumed) from the commutation money received.

Respectfully submitted,

JAMESON COX,

*Superintendent, Alms-House.*

Belle-Vue, Nov. 10, 1834.

1884

tion money received

Respectfully submitted,

Superintendent, Police

Belle Mead, Nov. 10, 1884

**DOCUMENT NO. 27.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 10, 1834.**

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Report of the Joint Committee on Fire and Water, upon a part of the Message of His Honor the Mayor, on the subject of a further supply of Water for the extinguishment of Fires, &c.—laid on the table, and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Fire and Water, to whom was referred that part of the Mayor's Message of the 30th June last, which relates to a further supply of Water for the extinguishment of Fires, and which is in the following words :—

“ The frequency of Fires, and consequent destruction of property, present strong claims to your attention. An ample supply of Water furnishes the great means of security against Fire. I suggest to your consideration, the propriety of establishing another reservoir at some eligible point, which your better information will enable you to designate. The one on 13th Street, near the 3d Ave-

nue, has been found of great utility ; and though the supply of Water is not as copious as could be desired, yet I have little doubt that the expense of its erection has been more than repaid to our Citizens, in the preservation of their property. In a subsequent part of this communication, I shall ask your attention to the project of supplying the City with Water for all public and domestic uses. It may be said, that if the more enlarged plan referred to, should be ultimately carried into effect, the erection of an additional reservoir would be a superfluous burden on the public Treasury. Past experience, however, justifies the opinion, that the City will derive a full remuneration for the expense of erecting works and laying pipes, in the additional security furnished against Fires, before the more extensive works contemplated could be completed."

#### RESPECTFULLY REPORT—

That your Committee have taken this subject into their serious consideration, and after due examination, have come to the conclusion, that additional supply of Water is necessary for the extinguishment of Fires.

They have in their deliberations had the advice and opinions of the Water Purveyor and Street Commissioner, and after a good deal of search in the vicinity of the present reservoir, and finding very little prospect of a supply of Water there, or in its vicinity, they have had their attention drawn by them to the grounds belonging to this Corporation in the vicinity of the Jefferson Market, where, from wells now dug, and which supply a great part of our City with Tea Water, there is every reason to believe that a supply of Water may be found, which, by the plan proposes by the Water Purveyor in this Report, will give an abundant supply of Water for extinguishing Fires along the line of pipes at present, and all those contemplated to be laid down.

#### *The Propositions are—*

- 1st. To dig a well of 16 feet diameter upon the south

end of Lot No. 9 of the grounds purchased for Jefferson Market, say 20 by 30 feet—the well to be 20 feet deep.

2d. To erect an engine of eight horse power, which will be capable of raising from this well into the tank at 13th street, 14,880 gallons of Water per hour, or 178,560 per 12 hours, by means of pipes connecting with the line at present laid through 6th street.

3d. To erect a house on said Lot, of sufficient dimensions to cover the well and engine, and a place for fuel.

4th. To lay a line of pipes from the well, to be dug along the 6th Avenue, to intersect those already laid along 6th street.

The estimated expense will be—

For digging and walling-up the well, about     \$500 00

For an engine of eight horse power, with  
boilers, complete, about     -     -     -     1000 00

For house for covering to engine, well, &c.  
if built of brick, about     -     -     -     820 00

If built of wood     -     -     -     400 00

For pumps and pipe in well, and sundry fix-  
tures to connect the works with the pipes     350 00

Making an amount less than \$3000.

The fuel and coal for running the engine will cost about 40 cents per day. The expense of an additional engineer will be saved, as the engineer who has charge of, and runs the engine at the reservoir in 13th street, can run this one also, as he has time so to do.

The great object of supplying the City with pure and wholesome Water from the country, will not be retarded or defeated in any way by this expenditure, if it should be carried into effect; for when not wanted, the engine, &c. would be worth nearly its original cost: the pipes laid down will become immediately into use, the house could be converted to some other purpose, and the well would be of use to supply the neighbourhood with good soft Water.

The present well at the reservoir, it must be obvious to every Member of the Common Council in consequence of the dryness of the season, has proved insufficient to supply the Water necessary for the extinguishment of Fires, and the utility of the Water for that purpose will be admitted by every one : it is therefore the duty of the Common Council to make such further provision on this very important subject as shall appear necessary, provided it does not detract, or in any wise obstruct, the grand object of supplying the City of New-York with pure and wholesome Water.

Your Committee feel assured that this plan can be carried into effect for a sum not exceeding \$3000, and therefore recommend the adoption of the following resolution :

*Resolved*, That the sum of \$3000 be, and the same is hereby appropriated, for the purpose of digging a well on the public ground at the Jefferson Market ; also, for the purchase of an engine, with boilers, &c. complete ; also, for building a house to cover the same, and for force-pumps, pipes in well, &c. &c., all of which is for the purpose of raising and forcing the Water from this well into the reservoir at 13th street ; and that the Water Purveyor be employed, and he is hereby directed to cause the same to be carried into effect, upon the best possible terms and conditions forthwith.

JOHN J. LABAGH,	} Committee on
ROBERT C. CORNELL.	
WM. SAMUEL JOHNSON,	} Committee of
HORACE HOLDEN.	



**DOCUMENT NO. 22.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 17, 1834.**

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Report of the Committee on Lands and Places on the subject of a Promenade or Battery near the intersection of Avenue B and 18th Street,—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Wharves, Piers and Slips, and Public Lands and Places, to whom was referred the Resolution to enquire into the expediency of making a Public Promenade or Battery on the margin of the East River, at what is commonly called Stuyvesant's Cove, ■

well as the petition of sundry inhabitants of the 11th, 12th and 15th Wards, to the same effect; beg leave respectfully to

### REPORT :

That they have examined the plan of the proposed public improvement, with all the care and attention its importance seemed to require. They abstain from inviting the notice of the Common Council to the great benefits that may result to the City, both in its health and ornament, by having a large space on the bank of this beautiful Bay, to which the inhabitants of the upper part of the City may resort for fresh Sea air and exercise. The whole subject of Public Squares and Promenades having been frequently referred to and reported upon by our predecessors; upon the subject of the expediency of the measure the Committee have had but one opinion. The Water Grant lying between the proposed limits still belong to the Corporation—and there is no private property which it is proposed to disturb, with the exception of a small part of a Water Grant issued to Nicholas W. Stuyvesant, and another issued to John Flack and Nicholas Gouverneur. All the owners of the contiguous property with but one exception, are anxious to have the proposed measure adopted, and are willing to be assessed for whatever benefit they may receive by reason of the taking of private property for public uses.

The Committee would further state, that they consider it very fortunate that the Corporation still retain within their own control so large a space which may be devoted to other public purposes in addition to that of a Promenade, such as a Market Place and Ferry House, to meet the increasing wants of our rapidly increasing population; that portion of the square between 13th and 15th Streets, and fronting on Tompkins Street might be advantageously applied to both or either of these purposes.

The Committee have examined the soundings of the Bay and find a large portion of the Area is nearly bare at low water, and the expense of filling up the space, and making the improvement, provided it is not sought to be done prematurely, can amount to very little, compared to the value of the property that will be created as it will by it. The Committee would refer the Common Council to the very valuable improvement now making by the Corporation in front of the public property at Bellvue, ■ an illustration, the filling in of which, by means of surplus earth from the Streets, will not probably cost the Corporation three cents a load. It has been estimated that there are built annually upon an average of five years, one thousand Houses in each year, in the present mode of building Houses with very deep cellars, it is estimated that there is an excavation of fifteen hundred loads of nine cubic feet on an average for every House that is built, in other words, the material excavated from each lot that is built upon is more than sufficient for what is wanted for filling up any lots that may require it upon the meadows, and the whole amount of sunken or water lots, or lots that may require filling, that lie between 5th Street and 23rd Streets, the first Avenue and the East River do not exceed 3000, including the space occupied by the proposed Battery, and the only expense that would be required, would be the building of a rude sea wall of stone at the edge of the flat and permit the Area to be filled up by the rubbish from the City, and which in less than five years will afford no receptacle for filling materials, and we shall be obliged to adopt the expedient now made use of by the Superintendant of Streets of transporting Coal ashes and cinders to the middle of the Hudson river. The Committee in conclusion beg leave respectfully to recommend the adoption of the following Resolution :—

*Resolved*, That the Area comprehended between 13th Street on the south, Avenue B ■ the west up to its in-

tersection with 18th Street, and the exterior line of the City in the East River, be taken and appropriated for a Public Place or Promenade, and that the Counsel for the Board together with the Street Commissioner, take the necessary legal measures to carry this Resolution into effect.

All which is respectfully submitted,

F. A. TALLMADGE,  
THOMAS H. WHITE.

**DOCUMENT NO. 29.**

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**BOARD OF  
ASSISTANT ALDERMEN,  
NOVEMBER 24, 1834.**

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Mr. Johnson on behalf of the Joint Committee of both Boards, consisting of the Committees of Police Watch, and Prisons, and Charity and the Alms-House, and a Special Committee of this Board, presented the following Report on the subject of a House of Detention, Debtor's Prison, Criminal Court Room, &c.,—which was laid on the table and ordered to be printed.

**R. FISHER,** *Clerk.*

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The Joint Committee of both Boards consisting of the Committees on Police Watch and Prisons, and Charity and the Alms-House, to whom was referred so much of the annual Message of his Honor the Mayor, as relates to a House of Detention; and so much of the report of the Commissioners of the Alms-House as relates to the same subject; and the communication of the Committee of the Board of Public Schools, of the 10th of August, 1833, relative to a sale of Public School House, No. 1; and the reports thereon by the Police and Watch Committee of the

Board of Assistants of the 22d of September, 1833, and of the Finance Committee of the Board of Assistants, of the 27th of October last : and the Committee of the Board of Aldermen, on Police Watch and Prisons, to whom was referred the memorial of Hugh Maxwell and others, on the subject of the House of Detention : and the Special Committee of the Board of Assistants, consisting of Messrs. Delamater, Suydam and Purdy, to whom was referred the resolution directing an enquiry into the expediency of appropriating the public grounds on Chamber Street, east of the old Alm-House, for a House of Detention and Debtor's Prison,

### MOST RESPECTFULLY REPORT,

That the several papers and matters referred to the different Committees above mentioned, are either identical, or so intimately connected ; that the several Committees have united in their consultations and examinations of the subjects referred, with a view to the formation of a common opinion and the presentation of the whole subject in one common report ; and having agreed in the whole matter, have the honor now to submit the results of their deliberations and some of the reasons which have lead them to such results.

The matters referred as aforesaid, embrace the following propositions, namely :

The discontinuance of the use of any portion of the Bellevue establishment, for the detention, previous to trial, of persons accused of crimes or misdemeanors.

The providing of a House of Detention for such purposes, in some portion of the compact part of the City and contiguous to the Courts of Justice.

The demolition of the building now used as a Debtor's Prison known as the " Old Bridewell," and the erection of a new one, more commodious and appropriate, for that purpose.

The plans and constructions of such buildings in re-



ference to the classification of the prisoners and their moral good, as well as their security from escape.

And the subject of detaining the prisoners in some place contiguous to the Courts, involves the providing of a new place for the Court of Sessions and its Offices, and the Police Office and its appendages.

These are subjects of great interest, and are so felt by the Committees. They open for discussion (if the Committee felt themselves competent to the task, and the limits of a report would warrant it,) the duty of the Common Council, imposed by the humane principles of the laws, and the benevolent principles of the human heart; some important branches of the doctrines of Prison Discipline; the honor and character of the City, as connected with its Jails, its Architecture, its taste and its humanity.

The subject of a House of Detention has long engaged the attention of the City authorities. It was forcibly pressed upon the Common Council by the late Mayor in his Message of March 4th, 1833, (Mayor's Messages 36;) and by Committees of the Boards of Assistants in reports made February 13th, 1832, (Document 18, vol. 1)—July 22d and September 23rd. 1833, (Documents No. 16 and 23, vol. 3;) His Honor the Mayor has made it a conspicuous subject in his annual Message of the 30th of June last, (Document No. 7 of Assistant Aldermen)—again it is urged with great zeal by the Commissioners of the Alms-House in their late communication, (Board of Aldermen, Document No. 20;) and in the petition now before the Committees, the subject is discussed with great force, and the evils of the present system graphically described. In all these several documents the present location of the principal House of Detention is condemned, and the interior arrangements of it reprobated. The Committees do not deem it necessary to go into the arguments in detail; they are found at large in the printed documents above referred to; but there are some considerations which they deem it their duty to present.

The location of the Prison at Bellevue, three miles from the Courts and out of town, away from the offices of counsel, and the residences of witnesses, deprive the accused of even the means of preparing their defences, and of course of a fair opportunity of trial ■ against the people, and subjects the City to an enormous expence in the necessary transportation of the accused from their place of confinement to the place of trial. The amount of this expence of transportation is estimated by the Commissioners of the Alms-House at \$10,000 per annum. The arrangement of the Prison is such, that all grades of prisoners from the innocent witness, who for want of the means of giving security for his attendance to testify on the trial of ■ criminal, is put into confinement; and the apprentice boy sent to jail as ■ matter of wholesome discipline; to the abandoned reprobate skilled in the acts and mysteries of all crimes, are crowded together in one room to the number varying from 40 to 70; forming ■ congregation of which the most abandoned reprobate is the minister, and the most innocent, the peculiar objects of his service, and creating and breathing an atmosphere, the pollution and corruption of which as it affects the physical man, is only equalled by the moral pollution and corruption which there affects the moral man.

The female department is deserving of no more praise, than is here given to the male department. But bad as the arrangement of this prison is, as it respects the comforts and morals, and even the decencies of men, it is believed that the City of New-York until lately has not been much behind other cities in this respect; but other states and other cities are now taking the lead; Philadelphia and Pittsburgh are in our advance, and will soon leave ■ far in the rear.

The House of Detention may be said to be now divided into three parts—one of which is the *cellar* of the old Bridewell, where two rooms only are ordinarily used, and

for males about 16 feet square, in which are three cells opening upon a room of about 12 feet square. The other for females—similarly arranged but of larger dimensions; to one of these rooms there is a window, but the other has no light or air except the small portion which leaks through the small grating of the door. Into these rooms criminals and vagrants are indiscriminately huddled, and there kept until their examinations are completed, and they are either released or sent to Bellevue on commitments for trial. From 20 to 40 are sent there a day, and from 10 to 20 are usually confined in each of these apartments at a time. In case of an unusual number of prisoners, or of criminals of a deeper dye, the first story of the east wing of the building is used—a tolerably comfortable place though divided into 22 very small and narrow cells. By an Ordinance of July 1833, (not printed) this part of the building was made part of the House of Detention, with directions, “that the presumed felon” should be kept separate “from the supposed vagrant, and both these, from those who are simply disorderly or refractory.” But the principle of herding the accused into congregations and schools of crime as practised at Bellevue, being ostensibly the one governing this portion of the criminal department, the Keeper of this Prison finds it more consistent with the principle or more convenient to himself seldom to use this division of it. His Honor the late Mayor in his Message of the 4th of March, 1833, before referred to, says “I see no good reason or necessity for crowding them (the prisoners,) promiscuously in the basement of the Jail, while the entire easterly wing of that building is unoccupied.” The above mentioned law seems to have been made on this suggestion of the Mayor—yet still, the *basement of the Jail*, only is used.

The second part of the House of Detention is composed of the strong rooms belonging to the Watch House in the *cellar* of the old Alms-House. These rooms are all dark,

and well enough perhaps for the lodgings of such as are brought in for the night by the Watch, for the disturbance of the rest of quiet citizens, but inhuman places for the confinement of men, who, though subjects of arrest, are by the humanity of the law *presumed to be innocent*. These cells are used by the police but seldom, and as a matter of temporary convenience, whilst the examination of the prisoner is pending, or to effect a wider separation of some individuals who are suspected of a connection in crime.

The third part is the Bellevue establishment, a particular description of which is given by the Commissioners of the Alms-House in their late communication, (Document 20 p. 178.)

It appears by the report of the Commissioners of the Alms-House, that more than 5,000 persons are annually committed to the Bellevue Bridewell, and that from 2200 to 2800 have been annually sent to the Penitentiary from 1829 to 1833 inclusive. To those *committed* to the Bellevue Bridewell, must be added a large number who are arrested each year, detained in custody from an hour to a week, or until examined, and then discharged for want of sufficient testimony to warrant even a commitment for trial; (and such is the case with nearly one half of those accused.) These together form a mass of individuals against whom the doors of the prison each year is closed for a longer or shorter period, and containing almost every shade of character from the innocent and virtuous but suspected individual, to the atrocious criminal; and every grade of moral turpitude, from the drunken vagrant, the prostitute and petty thief, to the utterly abandoned reprobate stained with crimes of every hue. From 130 to 150 persons are now usually in confinement at Bellevue at a time.

For these reasons, amongst others, most of which are given in the documents before referred to. These Committees are of opinion, that the use of any part of the Bellevue

establishment, and of the "old Bridewell," for a Bridewell or House of Detention, ought to be discontinued ; and that a new building ought to be erected in some compact part of the City, and near to the principal Police Office and Criminal Courts ; that such new building ought to be built on such a plan of interior arrangements as will allow of a classification of the prisoners, if not of the separate confinement of each, and large enough for the proper confinement of *two hundred* individuals.

The existence of the building, now used as a debtor's prison, and known as the old Bridewell, has long been a subject of public complaint. Its continuance to lumber with its appurtenant nuisances that beautiful promenade the Park, and to hide the City Hall, has long been charged, as a standing libel on the taste and liberality of the city. Universal sentiment seems to require it to be razed, even as a matter of taste. His honor the Mayor, in his Annual Message (Document 7 of Assistants, page 44,) thus speaks of it—"I have long been of opinion, that the building at the west end of the City Hall should be removed entirely, or thoroughly remodelled and improved ; it is wholly unfit for the purposes to which it is applied ; and in many respects is offensive to the good taste of our citizens. Its situation is prominent and central ; and the nuisances to which its present condition and uses give rise, are therefore the more conspicuous. The public voice I do not doubt would approve its removal, or an entire change, both of the exterior and interior of this edifice. I earnestly recommend this subject to your early attention."

In the opinion of these Committees, the Building is worthy of condemnation, not only as a blemish to the city, but in the language of his Honor the Mayor, "*It is wholly unfit for the purposes to which it is applied.*" That the portion of it used as a house of detention, is unfit for the purpose, appears by what is before stated. The rest of it is used as a debtor's jail. It was not constructed for a debtor's jail ; but for a place of confinement of per-



sons suspected, or convicted of crimes. The first and second stories of the west wing, are used as a debtor's prison, and it is divided into five rooms on each floor, each of 17 feet, by 9 feet 7 inches, opening to a hall, running the length of the building, and seven feet wide. Here are confined upon an average from 20 to 30 debtors. Until recently, one of these rooms was used as a privy, which sent forth its disgusting effluvia through the whole building—now that evil has been amended, if amendment it may be called, by partitioning off the end of the hall, so as to take in a portion of a window. There is no yard to this building, of which the prisoners have the benefit; no range of room; and no place even on its roof, where they can breath the air of heaven until it becomes impregnated with the noisome vapors of the prison house. In this prison, so limited are its dimensions, and so spare are its accommodations, that privacy or classification is impossible; and the man whom honesty and mere misfortune has brought to its walls, is forced into, and unable to separate himself from the society of him whom fraud and infamy has also sent thither. It is believed by these committees, that the Common Council which devoted this house to a debtor's prison, did it only as a temporary expedient; and that the difficulties which have been in the way of erecting another edifice, has been the only cause of its being suffered down to this time, to disgrace the city. The discontinuance of the use of this building as a house of detention, by the Common Council in 1829, is a proof, that *they* considered it unfit for that purpose; and these Committees see no reason for reversing that opinion. For prison purposes therefore these Committees are of opinion, that it is not only unfit, but is disgraceful to the humanity of the city, and against the public taste.

It may be asked, cannot the building be remodeled and improved, and devoted to some public purposes, for offices, courts, &c. It probably could: but not without



expenditure of money greatly disproportionate to the object which would be accomplished by it, and a sacrifice of all which would be gained in taste by its demolition, and the expenditure of the same money in a new edifice. These Committees deem it a desideratum to effect the removal of the old buildings from the Park, and by an enlargement of the City Hall to concentrate in one building all the additional public offices, which public convenience may require to be, at that centre; and by such enlargement of the City Hall, render it commodious in its accommodations, and grand and imposing in its architecture. These Committees accord with his Honor the Mayor in the sentiment he expresses in saying in his Message, (page 44,) "I am anxious, so far as the expression of my opinions may have any influence, to preserve, and if possible to extend the open grounds in the vicinity of the City Hall. Our public squares are few and small. In disencumbering as much of that conspicuous ornament of our city, the Park, as the public service will admit, we shall essentially contribute to its cleanliness and beauty, and I feel assured, that we shall thereby add to the health and gratify the feelings of our fellow citizens."

These Committees are therefore of opinion that the "old Bridewell," or Debtor's Jail, ought to be taken down, and the ground it occupies with its curtilage, be thrown open to the enlargement of the Park; and that a Debtor's Prison ought to be erected at some other convenient place.

The *location* of these two Prisons—the House of Detention, and Debtor's Jail—has been a subject of anxious inquiry with these Committees. There seems to be no such connection between the Civil and Criminal Courts, as to render their location near to each other necessary. They are entirely separate and distinct institutions, having only a Bar in common, and even the counsel who attend on the Civil and Criminal Courts, are for the most part different.

But although immediate contiguity of the Civil and Criminal Courts is not necessary, still some public conveniences may arise from their not being widely separated.

Several different locations have at different times engaged the attention of the Common Council and the public; some of which can no longer be had for the purpose, while others are still open for discussion. The Houston street and Red Fort locations are of the former class—of the second class, are Rutgers College, Public School House No. 1,—the basement of the old Alms House, and the Public Yard.

Rutgers College is too small, for one only of the needed Prisons. The lot is but 40 feet by 74 feet—and the building but 40 by 60 feet, and is not of sufficient strength, or of proper construction for a Prison. Its situation is in a dense and crowded portion of the city, where a supply of free air cannot be had for the due ventilation of a Prison; and again, the expense of altering it into a Prison would be very great, and we should get for it nothing which would be satisfactory.

The formation of a House of Detention in the basement of the old Alms House, seems once to have received the very serious consideration of a Committee of the Board of Assistants—(Document 18, February 13, 1832.) That Committee at page 4, reported their belief, “that the basement story of the building in question, can be converted into a *safe and convenient* place for the confinement of persons accused of crime,” and that great advantages might be expected, from the arrangement, “as it regards the health and convenience and morals of the accused;” that “the apartments might be so constructed as to admit of the most perfect ventilation and a constant supply of fresh air,”—and “by the free use of the *choride of lime*, and the *scrubbing brush*, might be kept sweet and clean.” That this place can be made “safe,” and as it respects the offices of the Courts, “convenient,” these Committees would

not question—but that much could be expected, beneficial to, or preservative of the health of the prisoners—or in respect to ventilation, or free air in a *cellar*, seems to them rather problematical: and they are convinced that, if it could be kept clean and sweet only by that “free use of chloride of lime, and the scrubbing brush,” which seems contemplated by that Committee, it would be an unfit place for a House of Detention. The alterations of this building made in 1831, and 1832, cost the city \$19,826,76—and this is in addition to large expenditures made previous to 1831, through Committees of the Common Council, and which do not appear on the Comptroller’s Books. For this money we have got a building, which it is admitted is convenient, but in no other respect creditable to the city. Another experiment in the alteration of an old building was about the same time made by the city, in the conversion of the “Old Jail,” into the “Hall of Records.” This cost the city \$32,672,27-100, and supplies the city with accommodations for five public offices, and five only. The estimated cost of the proposed conversion of the *cellar* of the old Alms House into a House of Detention, mentioned in the Report last above cited has never been furnished. The subject was laid upon the table, and its repose has since been undisturbed. These Committees cannot recommend the expenditure of any more money on that Building. But rather look forward to the “disencumbering as much of that conspicuous ornament of our city, the Park, as the public service will admit,” and at as early a period as a due regard to the present buildings, and a wise economy will warrant.

The appropriation of the Public School House No. 1, has received the favorable consideration of a Committee of the Board of Assistants, (No. 23, volume 3.) The arguments in favor of this plan, are detailed in full, in their Report, (Document No. 23, volume 3.) The expense of the purchase and alterations was estimated at 45,500 Dollars.

This plan is decidedly superior to the proposed alteration of the cellar of the Alms House, but is still objectionable, **as** an old Building, the cost of the alterations and improvements of which would be nearly adequate to the erection of a new one. It contemplates the confinement of debtor's and criminals, in different stories of the same House;—it will remain and be a Prison without a single circumstance to break the association;—be situated on that “conspicuous ornament of our city, the Park;” and would if converted to this purpose, in all probability, much longer “cumber the ground,” than if it remains unaltered. This plan was much discussed by our immediate predecessors, but was never acted upon by the Board, so far as is to be ascertained from the minutes.

These Committees having been lead by their deliberations to the several conclusions before stated, and reached this point, directed their attention to a general survey of the city, in search of a proper location for the New Prisons, which from their reasonings before stated, they believed it necessary to erect. Three subjects are here brought into consideration, namely, the erection of a House of Detention—the erection of **a** Debtor's Prison—and the necessity of locating them near to the Courts of Justice. That the Principle Police Office should be in the same building with the House of Detention, seemed to the Committees a desideratum of great consequence, though not **a** matter of necessity. And the connecting of the Court of Sessions and its appendages, with the Police Office and House of Detention, seemed also to be an object worthy of accomplishment: and when the present accommodations of the Police Office and Court of Sessions, were considered in connection with their importance, the Committees were lead to give the project still more consequence in their deliberations: and again, the combination of these four department into one great establishment, would lead to the erection of an edifice, which at the same time it would

relieve the City Hall and the Park, from some of the demands upon them, would allow an amplitude of dimensions consistent with the claims of humanity towards the prisoners, and in accordance with the benevolent suggestions and improvements of the age, furnish every convenience to the Courts, Offices and Officers, which, or who, should be there placed, warrant a style of architecture, commensurate to the wealth, consistent with the dignity, and required by the taste of this great and growing metropolis, and be an ornament, instead of a blemish to the neighborhood or section in which it should be situated. And such a Building, these Committees deem it the most wise for the Corporation to erect.

An ample space of ground, with this view is a matter of primary importance. These Committees would be pleased to place it on the margin of one of the rivers, or on some high or elevated ground. The latter situation we have not. There is no spot within the city on which the building could be placed, where the free course of air to it, would not be more or less impeded by surrounding buildings. All we can get in free circulation of air, must be by erecting it on a park. There is no situation on either of the rivers in the control of the Corporation, that is not so remote from the City Hall as to preclude the idea of putting a *Debtor's Prison* upon it. In their survey of the city, these Committees find but one place which combines any number of the requisites of the proposed establishment, and that one place is the ground now occupied by the Public Yard; bounded by Elm and Center, Leonard and Franklin Streets. This ground embraces an area of 200 ft. 4 inches on Elm Street—200 ft. 7 inches on Center Street—253 ft. 3 inches on Leonard Street, and 233 ft. 3 inches on Franklin Street.

This location is within a moderate distance of the City Hall, and not so remote therefrom that its being made the site of the *Debtor's Prison*, would occasion the *Debtor's*



or their Counsel any injury or material inconveniences—As a site for the Police Office, its location is very central, to the great mass of crime committed in this city,—3-4ths of which, it is estimated by the Police Magistrates is committed below Walker St.—As a site for the Court of Sessions it is convenient to, or not far remote from the business sections of the town, and well situated as a centre in respect to the quantum of population, whose convenience would be most consulted with reference to their places of business or of residence, when required to attend that court. The ground is ample; and with streets upon the four sides of it, an abundance of air would be obtained, and the building could be made to appear to advantage. Its neighborhood to the great Sewer in Centre and Canal Streets, would admit of its wash and filth being easily removed, and the water of the Public Reservoir can be carried to its top, furnishing the most ample means of purification. Again, the ground is now owned by the Corporation, and thus the expenditure of a large sum of money would be saved, which otherwise would be required for the purchase of the site.

The enquiry may be made, what shall be done with the public yard? The Committees answer, that at present there is scarcely a building upon this lot capable of standing alone; the principal one is supported by props, and and all the others, with one or two exceptions, are in a dilapidated state and all are of inconvenient structure for the work to which they are appropriated. If the use of the ground for a public yard is continued and the present works carried on there, the period cannot be far distant when the Corporation will be under the necessity of erecting an entire new range of buildings. These Committees however are very ready to believe what they earnestly hope for, and that the negotiation now pending with the State for an exchange of the ground occupied by the State Arsenal, for other ground more remote from the



crowded part of the City, may soon terminate in such an exchange. And in such case, these Committees are of opinion that the present Arsenal grounds would furnish a proper and desirable location for the public yard and the building thereon standing, the necessary, convenient and substantial work-shops. During the pendency of such negotiation and until the proposed new building shall have far progressed, the greater portion of the ground may continue to be used for its present purposes.

This ground, has heretofore been thought of as a House of Detention : But it was feared that it would not bear a building of the necessary weight. These Committees have taken much pains in reference to this point ; they appointed a sub-committee of their own body together with the Superintendant of Public Buildings, to make the necessary examinations and obtain accurate knowledge of the facts ; and they have come to the conclusion, that the ground is *now* competent for the support of any building, it may please the Common Council to erect upon it.

It is well known that this block of ground was redeemed out of the pond known as the "Collect." The line of the solid ground run about 39 feet west from the westerly line of Elm street, measured on the northerly line of Leonard street. The margin of the water of the pond was about 78 feet east of the easterly line of Elm street, measured on the same line of Leonard street, at the nearest approach to Elm street, of the curved line which formed its margin. The space intermediate the solid ground and margin of the water, was a soft miry mud of some feet in depth. This pond was filled up by throwing in earth on all sides of it except the outlet, which was on the course of Centre and Canal streets ; and after it was several times filled up above the level of the water, and nearly to its centre, and appeared to be in a state approaching to completion, the whole mass of earth carted on, ■ often sunk below the level of the water. The sink-

ing of the earth seemed to displace a like bulk of mud at the bottom of the pond ; and it actually forced up the mud into an island, near to the easterly end of the building on Franklin street, used as the carpenters' shop of the public yard, and about 120 feet from Elm street. A large quantity of this mud was carted off for manure, and the filling-up completed with good earth. This place, the Committees are informed, has been at all times considered the weakest part of the ground. It is now 22 or 23 years since the filling-up of the Collect was completed. From a line through the yard, about midway from Elm to Centre streets, easterly, the ground seems to have settled 2 or 3 feet from its original graduation : But from the opinions of those who have been long acquainted with the ground, it has ceased to settle for several years. To ascertain the character of the ground, the Superintendant of Buildings, under the direction of the Committees, caused two holes to be dug about midway from Leonard street to Franklin street ; one at about 40, and the other at about 80 feet from Elm : in the first he came to water at 8 1-2 feet, and in the other at about 6 feet. This water is at the same level—the differences in its apparent depth being the difference in the grades of the ground at the two places. He then dug a hole 6 feet deep to water, at the distance of 80 feet from Elm street and 40 feet from Franklin street : this is near the weak ground before mentioned. He then drove a pile of 37 feet in length and 12 inches diameter, pointed and headed with iron, and used a weight of 17 cwt., beginning with 6 feet fall. At first it drove about 1 1-2 inches at a stroke, at 12 feet it drove only about 7-8ths of an inch at a stroke, and for the residue only about 5-8ths of an inch at a stroke. At 28 feet from the surface he found the pile driven home, and could budge it no further.

He then sunk another hole, and drove another pile to water, at the distance of 100 feet from Elm street, and 104

feet from Franklin street. The pile was of 30 feet in length and 12 inches diameter, and driven by the same weight and machine as the preceding. It drove about 1 inch at a stroke its whole length. At 30 feet from the surface he could drive it no further, but found it driven home. He then dug another hole to water, at 114 feet from Elm, and 51 feet from Leonard street, then drove a pile similar to the last, but with its bark taken off: the other piles were driven with their barks on. This pile at first went from 1 1-2 to 2 inches at a stroke, and for 20 feet. It there seemed to pass through a bed of marl or compact clay of about 2 feet in thickness, and went at only about an inch at a stroke: after passing that stratum, it went home at a depth of about 30 feet, at the rate of 2 or 3 inches at a stroke.

In the opinion of the Superintendant of Buildings and of these Committees, the foregoing experiments fully tested the strength of the ground, and proved its adequacy to sustain the proposed buildings; and they are fully of opinion, that by laying the foundation on piles—even if long flags should be deemed insufficient—a building of any proposed weight, may with safety be erected on the ground examined.

With respect to the particular plan, of the proposed edifice, and its style of architecture, the Committees do not feel themselves as yet sufficiently advised to express an opinion; but they are of opinion that the procuring of such plans in detail, and the specifications thereof, ought to be charged upon a small Committee, not exceeding three from each board, as in matters of this kind, though more wisdom may be collected in a large Committee, they are apt to lack energy and efficiency from too great a division of responsibility. As a general description of the building, however, they would advise, that the House of Detention be so constructed in its interior arrangements, as to allow of a minute classification of prisoners—if not of the separate confinement of each; to afford the means of severe

and rigid confinement of the worst of criminals, and proper and proportionate comforts and indulgences to offenders of a milder character ; to give separate apartments to confined witnesses, apprentices and others, who though innocent of crime are subjects of confinement under the policy of the Law ; and still other apartments to vagrants. Very valuable ideas for the formation of these classes—and of opinions upon this subject, are to a great extent collected in the Documents herein before referred to, and the same are annexed to this Report in an Appendix for the convenience and consideration of the Common Council. Other valuable materials will doubtless be collected by such Committee on the Building, as the Common Council shall in its wisdom appoint.

That the Debtor's Prison should be calculated for the detention of about 50 prisoners, and so arranged that those seeking privacy may be indulged with it ; that the rooms be of a comfortable size for a single individual—and the whole connected with a yard to which the prisoners may have free access during the day.

The arrangement of the Court Rooms and keeper's apartments require no comment from these Committees. As to the architectural character of the Building, these Committees can say, but in general terms, that it should be simple, and in keeping with the uses and objects of its construction.

In conclusion these Committees present a summary of their views and opinions, on the matters referred to them, in the following Resolutions, which they recommend for consideration and adoption by the Common Council, to wit :

*Resolved*, That the use of the apartments at Bellevue and in the Debtor's Jail, (or "Old Bridewell,") and in the cellar of the old Alms House, as places of confinement before trial, of persons accused of offences, ought to be discontinued, as soon as a proper Prison for such purposes can be provided elsewhere.

*Resolved*, That a House of Detention for the confinement of prisoners, before trial, ought to be erected.

That such House of Detention ought to be built with reference to a minute classification of prisoners—if not of the separate confinement of each individual, and particularly to a separation of the sexes from each other, and of vagrants from criminals, and of confined witnesses, apprentices and others charged with no misdemeanor, from both vagrants and criminals, and that it ought to be situated near to the Principal Police Office, and to the Court of Sessions.

*Resolved*, That the Building in the Park near the west end of the City Hall, known as the “Old Bridewell,” and now occupied for a Debtor’s Jail, amongst other things, ought to be taken down as soon as a proper prison for the confinement of Debtor’s can be provided elsewhere.

*Resolved*, That a new Building or set of Buildings be constructed, comprising a House of Detention, a Debtor’s Prison, accommodations for the Court of Sessions, and its appendages, and a Police Office and its appendages. And that the House of Detention be designed for the confinement of two hundred individuals, either separately or divided into appropriate classes. That the Debtor’s Prison be designed for the confinement of 50 debtor’s—and that to each of these prisons one or more airing yards be connected.

*Resolved*, That such edifice be constructed, with regard to such architectural, proportions and ornaments as will be appropriate to its dimensions and proposed uses.

*Resolved*, That the said edifice be erected on the ground belonging to the Corporation, and now used as the Public Yard, bounded by Elm and Centre, Leonard and Franklin Streets, and that the same be, and hereby is appropriated to that purpose.

*Resolved*, That a Committee of three from each Board be raised, and that such Committee be charged with the



preparation of plans—specifications and details of the proposed Building, and that they submit the same, as early as possible to the Common Council, for their consideration, and further instructions.

And whereas, the beauty and magnificence of cities are dependent greatly upon the architecture of their private and public edifices, and the taste and refinement of the people judged of, by their encouragement of the Fine Arts. Therefore to draw forth the exertions of men of architectural science, taste and talent, and such designs of the proposed building as shall be most appropriate to its character and most honorable to the city. It is further,

*Resolved*, That said Committee, be and hereby are authorised, to offer by advertisement a premium of \$500—to be awarded to the author of such plan of the proposed building as shall be furnished to, and accepted by the Committee. But if the Committee shall not accept of the entire of any one plan, but shall accept of parts of different plans, then they shall apportion such premium amongst the competitors, proportionably to their accepted work—and according to the judgment of the Committee, and that the Comptroller pay the same upon the requisition of the Committee.

Most respectfully submitted,

WM. C. WALES,  
ROBT. C. CORNELL,  
EDWARD TAYLOR,  
JOHN DELAMATER,  
SILAS M. STILWELL,  
LAMBERT SUYDAM,  
SAMUEL SPARKS,  
SAMUEL PURDY,  
JOHN W. LAMB,  
JOHN J. BOYD,  
FRED. A. TALLMADGE,  
WM. SAMUEL JOHNSON.

New-York, Nov. 24th. 1834.



*Board of Assistants, September 8th 1834.*

Alderman Tallmadge presented the following Resolution, which was referred to a Special Committee, consisting of Messrs. Delamater, Suydam and Purdy.

*Resolved*, That it be referred to a Special Committee to enquire into the expediency of erecting a building upon the Public Grounds, situate to the eastward of the Old Alms House, and embracing the grounds occupied by the Rotunda, to be appropriated for a House of Detention, and also for a Debtor's Prison.

APPENDIX

TO THE FOREGOING

R E P O R T

ON

A HOUSE OF DETENTION, &c.

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NUMBER I.

*Report of the Committee on Public Offices and Repairs of  
the Board of Assistant Aldermen, made February 13th,  
1832.*

The Committee on Public Offices and Repairs, to whom was referred the resolution of Mr. Whiting to ascertain whether the Basement Story of the Building in the rear of the City Hall could not be converted into a safe place for the detention of Individuals arrested and charged with crimes until their examination and trial, and the expense

of such alteration: and also, whether Vaults could not be constructed in front of the said Building, on the south side, as convenient places for Wood and Coal to supply the several Offices in said Building, beg leave to

### REPORT,

That they have had the same under consideration, and believing the subject of imprisonment, *before trial*, to be one in which the community have a deep interest, they have bestowed on it much time and reflection, and have sought information from various sources as well as the opinions of those who are supposed to be best informed on the subject, and whose experience your Committee believed would add weight to their opinions. Before they adopted the conclusion to which they ultimately arrived, your Committee deemed it necessary and proper to inquire into the present practice of indiscriminate confinement *before trial*, and to ascertain, if possible, wherein it was defective, and whether a more salutary system could not be substituted in its place, affording equal if not greater security to the public, and one which would be less liable to objections than that now in use.

Your Committee believe this subject of imprisonment *before trial*, to be of infinitely greater importance to the community than is generally admitted, and that great care should be taken to protect the accused from all unreasonable and unnecessary restraint, and especially to guard them against all injurious and corrupt associations; for the law in tender consideration of human infirmity, always *presumes the accused to be innocent until proved to be guilty*. The imposition therefore *before trial*, of any other restraint than that which is absolutely necessary to secure the person of the accused, is both illegal and unjust, and ought not to be permitted in any case.

Hitherto little or no regard seems to have been paid to the situation of the accused *before trial*, and it frequently

happens, that all classes and descriptions of persons who are unable to procure bail are, from necessity, and the want of proper accommodations, crowded together in one common receptacle, and that too, not unfrequently, of such contracted dimensions as scarcely to admit sufficient air for respiration. There you will frequently see the innocent and the guilty, juvenile offender, and the old and hardened criminal, the novice in vice and crime, and the most profligate and abandoned felon, mingled indiscriminately together, forming one motley group, where the youngest and less experienced in guilt are listening with seeming eagerness and astonishment to the extravagant and ridiculous boastings of the older and more experienced, of their having fearlessly and without the least remorse, committed almost every crime within the scope of human depravity. Here too are frequently confined persons who are sick, and some who are afflicted with loathsome and incurable diseases. In such a situation and under such circumstances, can it rationally be expected that a single human being who shall be subjected to the corrupting influence of such a mass can escape without being utterly polluted, and without the entire destruction of every moral sentiment. Melancholy and disgusting however as such a state of things may appear, the reality is but too glaring, and such is generally the situation of modern prisons for the confinement of persons *before trial*. It is there too that plots and conspiracies are entered into by the elder and more desperate offenders, and into the mysteries of which the younger are readily initiated, to obtain an acquittal on trial by means of perjured witnesses or by bribing them not to appear, or by intimidating them by threats of personal violence, by poisoning or burning or otherwise injuring them, whereby many of the more daring and profligate villains escape punishment, to the great scandal of our criminal jurisprudence, and the just reproach of the community in which it is suffered. It is there also that

still more desperate plans of future depredations upon society are formed, in which the young members are encouraged to take a bold and daring part, whenever they get released, or can effect their escape from prison. These, your committee regret to say, are only some of the evils which arise from indiscriminate confinements *before trial*.

The catalogue might be extended, but the details would be too disgusting. Your Committee however, with a view of presenting the evil in the most glaring light, will suppose, what too frequently occurs, that an innocent person is accused of a crime, and not being able to find bail, is committed to prison to answer for the offence, where he remains for some weeks; on his trial however his innocence is clearly established and he is acquitted. In such a case it is true his physical existence is not destroyed, but is not his moral death certain? It is also true that he may return again into the society from which he had been temporarily separated, but can he return as he once was, an innocent and virtuous citizen? Certainly not—for he has been robbed of his innocence, and every remnant of his virtue has been destroyed. He can be viewed therefore, only in the light of a loathsome and pernicious weed, scattering pestilence and moral death wherever he goes, and corrupting every thing with which he comes in contact. And what atonement, what remuneration can society make to an individual thus injured? Can it restore to him the innocence of which he has been robbed, or resuscitate his moral existence? It certainly cannot. The injury has been done, and what is still worse, the injury is irremediable.

Your Committee would unwillingly believe that such cases often occur, but they would respectfully ask, whether a single instance of this description ought not to be sufficient to induce the Common Council to abolish the practice of indiscriminate confinement *before trial*, and to substitute

in its place a system more congenial with the spirit of ■ republican government, and more consistent with the genius of our humane and benevolent institutions.

Your committee cannot but view the practice of indiscriminate confinement, especially *before trial*, as a remnant of barbarism entirely at variance with those liberal and enlightened views which should always characterise the policy of a virtuous and intelligent people ; while on the contrary, your Committee believe that the system of separate confinement *before trial*, will secure in the most effectual manner the safety of the person of the accused, and at the same time to insure to him a perfect exemption from most of the evils attendant on indiscriminate confinement. And your Committee believe that the basement story of the building in question, can be converted into ■ safe and convenient place for the confinement of persons accused of crime *before trial*, and so divided as to afford a separate apartment for each person committed, in all cases where separate confinement shall be deemed necessary. Your Committee also believe that great advantages may be expected to arise from the adoption of this arrangement, not only as it regards the health and convenience and morals of the accused, but also on the score of economy and security. The apartments may be so constructed ■ to admit of the most perfect ventilation and a constant supply of fresh air, so essential to the health of persons in confinement, and that the temperature of the apartments may be so regulated as to make them comfortable at all seasons of the year. And as it regards cleanliness, your Committee are perfectly satisfied that these apartments, by the free use of the chloride of lime and the scrubbing brush, may be kept sweet and clean, and much less exceptionable on the score of nuisance than many private apartments. Here the accused may enjoy the advantages secured to him by the constitution and laws of the land. He can have the benefit of counsel, by seeing and con-



versing with him at all reasonable hours, and who will not be obliged to encounter the pestilential atmosphere of a modern prison. He will also be able to procure process for the attendance of his witnesses, and be otherwise prepared for trial in the manner contemplated by law. On the score of economy it will also be desirable, as it will save the expense of transporting the prisoners back and forth, a distance of nearly three miles, an item of no inconsiderable amount in the administration of criminal justice, and which would go far towards defraying the expenses of this establishment. And as it regards the security of the persons confined, your Committee believe the chances of escape would be materially diminished. As the prisoners would be confined separately, there could be no combination or concert in action, and consequently little or no danger of escape. The watch-house being on the same floor would also afford additional security, without incurring any additional expense. The yard too is contiguous, and could be so used as to remove all cause of complaint on the score of cleanliness and convenience. Besides, the whole establishment would be under the eyes of the court and the magistrates, and of course would be much less liable to those imputations of partiality and abuse which are frequently, and sometimes very reprehensively, thrown out against the officers and keepers of the prison. Independently of all these advantages, the convenience of having the prisoners in the immediate vicinity of the place where they are so frequently wanted, as well for the purposes of examination as for trial, is deemed to be of great importance; for it sometimes happens that a prisoner has to undergo several examinations, of which the magistrate was not aware on the prisoners first commitment, in which case, while the place of confinement is so remote as it now is, considerable delay and expense must be incurred, as well as great inconvenience to the prosecutors and witnesses, many of whom are frequently disposed to abandon

a prosecution rather than incur the trouble and inconvenience which so frequently attends it under the present imperfect system. By the contemplated arrangement, the prisoners could be transferred at once from the place of confinement to the proper office for examination, or into the court for trial, through the interior of the building, without being chained and manacled as they sometimes are and paraded around the outside of the building, and attended by numerous officers to prevent escapes. Such spectacles are revolting to the feelings of humanity, and ought to be avoided if possible, as they only serve to gratify an idle curiosity, and bring crowds of dissolute persons together, who will always hang about a prison so long as the present practice is continued.

Among the advantages contemplated by the adoption of the plan of separate confinement *before trial*, we may number the opportunities it will afford the accused for that *reflection*, the want of which, has probably been the cause of all his misfortunes.

It will also afford him an opportunity of forming virtuous resolutions, and fortifying himself with sufficient courage to carry them into execution when released from confinement; but above all, it will preserve him from the degradation and disgrace, and the inevitable moral destruction arising from the corrupt associations of indiscriminate confinement, where one continued round of revelry, blasphemy and obscenity are kept up. Under such revolting circumstances a few days of separate confinement can do no harm, and may have a salutary effect; for hitherto it would seem that the only object of imprisonment *before trial*, was to secure the person of the accused, without the smallest regard to his moral treatment. And your Committee are strongly inclined to the belief that the most prominent cause of failure in the Penitentiary system, has been the practice of indiscriminate confinement *before trial*, whereby the remnant of moral feeling

left in those destined to become the subjects of its salutary influence, has been utterly annihilated before they have been subjected to the wholesome discipline.

The next object of inquiry for your Committee was the expense of making the necessary alteration. On this branch of the subject, your Committee have directed a plan of the proposed alteration to be drawn, and estimates of the expense to be made, which they believe will be very small, in comparison with any other arrangement for the same object. When the plan and estimates are completed they shall be laid before the Board.

The next and only remaining inquiry, is as to the practicability of sinking vaults in front of the said building, on the south side for wood and coal for the use of the same.

Your Committee believe the ground to be well adapted to the purpose, and that the expense will also be very inconsiderable, and when completed, will be much more convenient than the basement story of the building, a great part of which is now used for the purpose of stowing away fuel for the use of the different offices in the said building.

In conclusion, your Committee would observe that having viewed the subject of imprisonment *before trial*, in all the various lights their limited perceptions enabled them to take of it, and believing, as they sincerely do, that the defects in the present system, are a serious evil in the community, and believing moreover, that it would be highly commendable in the first and most populous City in the union to take the lead in the work of reformation, they cannot close their report without urging upon the consideration of the Board, in the strongest terms, the adoption of the plan proposed.

Your Committee believe it will be the means of checking in a very considerable degree, a flood of corruption which threatens to undermine the moral foundations of the social system. Already are numerous and desperate bands

formed out of the corrupt associations in prison, despising the pursuits of civil life, and determined to support themselves by rapine and plunder rather than by honest labor. Already are your citizens afraid to venture abroad at night from an apprehension of being assaulted and robbed. And does any one ask the cause of all this? Let him see it in the numerous sinks of corruption, with which our City abounds.

Let him observe the swarms of children winding their way to those numerous and unregulated nurseries of crime, commonly called "Junk Shops," where every species of pilfered property finds a ready sale, and "no questions asked," however dishonestly the property may be obtained. Let him look to the numerous receptacles for stolen property, where every article is so changed and metamorphosed in the twinkling of an eye, that the owner himself can never recognize it. Let him look to the tippling shops, the gaming tables, and lastly, let him look to the prisons, where persons are indiscriminately confined *before trial*, and he need seek no further for the causes of so much moral turpitude in the community, and which threatens, if not speedily checked, to overwhelm us in one common ruin. Knowing then as we do, the sources whence these evils spring, is it the part of wisdom to fold our arms, and suffer them to flow on, or shall we lay the axe to the root of these evils, and by a vigorous effort exterminate them.

Your Committee would therefore beg leave to offer the following Resolution :—

*Resolved*, If the Board of Aldermen concur, that the basement story of the building in the rear of the City Hall, known as the old Alms House, be fitted up as a House of Detention for persons accused of crime, before trial, and that the Commissioners of the Fire and Building Department submit a plan for the same to the Common Council.

H. P. ROBERTSON,  
SAMUEL DUNSHEE.

## NUMBER II.

*Message of the Honorable Gideon Lee, Mayor, &c. of  
March 4th, 1833.*

In ■ former communication to your Honorable body, I have suggested that additional Public Buildings might be soon required ; on a more recent personal and critical examination of our Pauper and Prison Houses, and on the information of many whose duties are connected with those institutions, I am convinced that a new Bridewell is urgently called for.

The present Bridewell at Bellevue contains three distinct classes of persons, viz : Female State Prisoners, Female City Penitentiary Convicts, and all persons committed for trial on charges of crimes.

Each of these principal classes might with great propriety be subdivided into a large number of grades and degrees of crime, vice, of mere suspicion of crimes, of age, youth, color and sex. It seems to me the common humanity towards the inmates of this loathsome prison, ■ well as sound policy in regard to the public weal, demands a classification far beyond that which the limited room, and the mal-construction of this ill-formed building will permit.

I think, moreover, that any considerable amendment in arrangement or ventilation, would require the removal of the entire interior longitudinal walls, and the erection of cross walls at very great expense, and such alteration and cost, will still afford no remedy in a material defect, the deficiency of room.

It may, too, at no distant day, be deemed good policy to remove the entire pauper and prison establishment from Bellevue to Blackwell's Island, in which case all such expense of alteration would be a waste ; and as our city is increasing with unparalleled rapidity, the Alms House already crowded to overflowing, and suffering from seve-



ral recent epidemics, still fearful of their return or the coming of others, will most certainly (if continued at Bellevue) require the present Bridewell building for the accommodation of paupers.

There is moreover a most unnatural connection in the association or close contiguity of criminals with involuntary paupers, and I do respectfully recommend that the Common Council enquire into the expediency of erecting a more extensive and better arranged building, for a Bridewell or City Prison, at some place other than Bellevue.

It appears to me also that other new buildings are scarcely less urgently required for the reception of that class of persons, defined in a State Law recently passed, "Vagrants and not notorious offenders," which are authorised to be committed to the Alms House, for any time not exceeding six months, there to be kept at hard labor. I have reason to believe the number of this class of mitigated offenders will be very large, and we must deplore the necessity of mingling such with our innocent, unfortunate and involuntary paupers.

I am not satisfied to close this communication without drawing your attention to that numerous class of persons accused of misdemeanors or crime, and under detention for examination. It is impossible, in many instances, for the magistrate to do justice to the party accused, or to the public, without such detention before commitment. Among the persons thus accused and detained for examination, there has been found some of our most valuable citizens; some distinguished strangers; also inexperienced youth, apprentice boys, and other innocent persons, against whom malice or misapprehension have brought the accusations; time and enquiry, and in some instances several days, are necessary to make the proper explanation. I beg leave to draw your attention to a just classification of such detained persons. I see no good reason or necessity



for crowding them promiscuously in the basement of the Jail, while the entire easterly wing of that building is unoccupied.

GIDEON LEE, Mayor.

Referred to a Special Committee, consisting of  
Aldermen MANDEVILLE,  
BARNES,  
WHITING,  
MURRAY,  
FERRIS.

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### NUMBER III.

*Report of the Committee of the Bord of Assistant Aldermen  
on Police, Watch and Prisons, made July 22, 1833.*

The Committee on Police, Watch and Prisons, to whom was referred the resolution directing "an inquiry into the necessity of making some additional provision for persons under detention either for further examination or for trial," beg leave to

### REPORT,

That of all parts of the city government, the prison system is doubtless the one which most imperiously requires revision and amendment. Ever since the demolition of the old State Prison, a destruction of public property altogether unparalleled in the civil annals of our country, there is not, and has not been, sufficient accommodation for persons coming under the cognizance of our criminal tribunals. Individuals, however, of this description, are too numerous to be embraced with advantage in a single report; the Committee, therefore, confining themselves to the letter of the resolution under which they are acting, will restrict their remarks and their recommendations to those who are

detained to have their cases further investigated, or who, having been examined, are committed for trial. But this division is adopted simply with a view to a more lucid arrangement of their facts and reasonings, since the conclusions at which the Committee have arrived, apply alike to both these classes of persons. With the former of them they will commence.

It will unavoidably happen that persons are carried to the Police Office for every grade of offence, from mere insubordination to piracy and murder. A master becomes dissatisfied with his apprentice for being idle or refractory, and the boy continuing stubborn, is sent to Bridewell; the master, thinking a little confinement all that is necessary to improve his habits, or subdue his temper, takes care, by not calling at the office, to leave him in durance for a few days. Here then there has been no breach of moral law,—an intractability of disposition is the sum total of the offence,—and yet, upon the present system, such a boy not only becomes degraded in his own estimation, by the society in which he is forced, but he is placed in the condition above all others best calculated to quicken or to foster any propensity to evil which may unfortunately exist in his mind. If it be important then that the less guilty should not be further depraved, by intercourse with the more vicious, it is certainly of vastly more consequence that those who are as yet uncontaminated should not be tainted and destroyed through the agency of public institutions. The Committee, therefore, esteem it the bounden duty of the city councils to provide separate apartments for those who, having violated no rule of ethics, have simply infringed upon some wholesome, but merely legal regulation.

Next come those who are charged with offences more or less serious, but who are thus charged upon slight, or possibly, upon circumstantial evidence alone. Now it may happen to any person to be involved in suspicion by events over which he has no control. Those who are known can,

indeed, give bail ; but what is to become of the friendless stranger ? He has, perhaps, put up at a house of good repute, a trunk has been broken open, and he is suspected, seized, and locked up with the vilest criminals before the affair can be fully investigated ; when it is, he is found guiltless and discharged. But what must be the feelings of an innocent and sensitive man while thus situated, and associating with the ordinary inmates of a prison ? And let it not be supposed that this is a picture drawn from fancy ; such an occurrence has recently taken place in this city, and may obviously happen at any time. It is true, indeed, that for these cases, so far as they are entirely fortuitous, there is no remedy, but let not unmerited sufferings be aggravated by bad regulations. Let persons thus circumstanced be at least kept aloof from vicious and debased companions. Their seclusion, too, may not only prevent unnecessary pain at the time, but may be the means of avoiding, at a subsequent period, evils of much greater magnitude. To have been in Bridewell at all is a stigma, and where any sense of shame remains, is always a subject of mortification and regret. Of this, the hardened offender, it is known, takes advantage, and by claiming in public a *jail acquaintance* with one who has some remnant of good feeling left, he exerts over him a most galling tyranny, and may incite him to further acts of wickedness. All this can be prevented by confinement in separate rooms.

Lastly come those who are under strong suspicion of having committed offences of an atrocious character. These, the Committee think, should be kept separate, not only on account of the evil impressions which they might otherwise make upon less desperate offenders, but for the furtherance of justice ; for burglaries and other equally serious crimes are frequently perpetrated by several persons acting in concert. These are often caught at different times, and if allowed to communicate with one another, while in custody, can easily arrange the tale to which all

are to swear. If none knew who had been laid hold of, and who had escaped, what those who had been taken had acknowledged and what they had concealed, what story had been trumped up, and what evidence removed, softened or suborned, it is manifest that the prospect of arriving at the truth, and ultimately of obtaining a just verdict, would be a thousand fold encreased.

We come now to the cases of those against whom the evidence is so strong that they are to undergo a trial.

This branch of the subject will not require the same lengthened discussion as the one which has just been disposed of; for it has been fully proved, the Committee trusts, that persons under arrest, but not as yet fully examined, should be kept in separate apartments; and it is universally conceded, and our whole State Prison system goes upon the idea, that *after conviction* no intercourse between prisoners should be allowed. Why then should the intermediate period form an exception? There is no possible reason for it, that the Committee can conceive. In all three situations the same causes are in operation, and the same results must ensue; for among criminals, however situated, recklessness is always the noblest quality, and in the circle of a prison, he will constantly be the hero who is most devoid of compunction and destitute of fear. By such an one and his supporters, laws and conscience will be scouted at, the timorous will be emboldened, the scrupulous will be hardened, and the ignorant will be instructed. In our Jails, accordingly, as at present conducted, acquaintances are formed, leagues entered into, and plans for future operations are digested. It is known for instance, to your Committee, that in prisons the art and mystery of picking locks have been acquired, and instructions have been given where the necessary implements might probably be obtained. Nor are these, great as they are, the sole evils which result from permitting free communications between prisoners after commitment and be-

fore trial. The following narrative will show what sometimes happens from such a state of things. A man in a fit of passion beat his wife. She complained to the police and as he could not give security he was sent to jail. The next morning, the woman having relented, she applied for his release. An order for that purpose was given her, she repaired with it to the prison and arrived just in time to receive his corpse! It appeared upon inquiry, that the man being a poor simple body, the other prisoners had so wrought upon his fears, that during the night he had committed suicide.

Upon a review of the whole subject, then, your Committee cannot but come to the three following conclusions :—

First—That a house of Detention should be forthwith provided for the reception of persons under arrest for examination or for trial.

Secondly—That this house should be as near as possible to the Court of Sessions, to allow easy intercourse between the prisoners and their Counsel, and to prevent the necessity of conveying the former backwards and forwards chained together, as is now done.

Thirdly—That the house of detention should be so prepared and regulated *that no prisoner should be permitted to have any intercourse whatever with any other individual who is also in a state of confinement.*

At first view, this last regulation may appear somewhat rigorous, but the Committee cannot so consider it. To the innocent it would prove a boon, and the guilty would have no right to complain, and could suffer no detriment : they might indeed be benefitted ; for if every room were furnished with a Bible, at the expense of the Corporation, with that book as a companion, a short seclusion, particularly from such society as a prison can afford, might do great good. Many culprits, especially those who were rather wil dand thoughtless than wicked, if thrown suddenly



into solitude, would be induced to enter into communion with themselves as to the past, and to look more calmly and narrowly into the future. Such a retrospect and scrutiny thus aided and conducted, would surely prevent, while in confinement, any further accomplishment in villany, and would restore some, at least, to the world, regenerated and reformed. Nor need the Bible be the only book which should be allowed,—any other good work might be furnished which a prisoner wished and could command. Even harmless employment of any kind might be permitted—solitariness being the only indispensable condition. In this way it appears certain to the Committee, that if our prisons were not rendered schools of religion and virtue, they would, at any rate, cease to be what they now are—SINKS OF DEPRAVITY AND SEMINARIES OF CRIME.

*Resolved*, That the Committee on Police, Watch and Prisons, ascertain upon what terms a convenient house of Detention can be procured and properly fitted up.

J. AUG. SMITH,

C. C. JACOBUS.

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#### NUMBER IV.

*Report of the Committee of the Board of Assistant Aldermen, on Police, Watch and Prisons, made September 23, 1833.*

The Committee on Police, Watch and Prisons, to which was referred the resolution to “ascertain upon what terms a convenient House of Detention can be procured and properly fitted up,” beg leave to

#### REPORT,

That they trust they have already proved, not only the propriety, but necessity, of a well regulated and sufficient



House of Detention. In addition to the arguments and considerations which were heretofore urged on this subject, the Committee have since ascertained that while the utility and importance of such a house are acknowledged, out of New-York there does not, at this time, exist in the world, an institution of the kind ; and the Committee cannot but express their gratification, that our country and city should be the first to set an example of so laudable an improvement in behalf of those, who notwithstanding their errors, their vices and their crimes, are still our fellow beings.

It now remains to fix upon a proper location for the establishment in question.

In examining the various situations for this purpose, there is one, and but one, which combines in any tolerable degree, the different requisites, which are necessary : that one is the Public School House, at the corner of Chatham-street and Tryon row.

In the first place, this building is contiguous to the Police Office and the Court of Sessions, so that prisoners can be remitted or brought up one by one, as may be required, without having recourse to the present expensive and inconvenient mode of transportation by carriages.

In the next place, this situation is as remote from the great thoroughfare, Broadway, as the nature of the case will admit of.

Thirdly, the building is so large, that by adding two stories to it, which the Committee propose should be done, there will be ample accommodation in the lower part, for all criminals awaiting their trials ; and in the upper part for debtors and a small hospital. Moreover, by having the roof flat, and if necessary, covered by an awning, a place, for exercise will be obtained ; the only one which can be procured near the seats of justice.

Having mentioned the debtors who are in confinement, the Committee are obliged to call strongly upon the Board,

for attention to their condition. At present these persons are confined as closely as felons, in apartments ill ventilated, filthy and crowded: a state of things which should never be tolerated in this age and country.

But to return to the proposed building.—The cost as will be seen from the annexed communication from the Board of Public Schools, is \$26,500. This sum, though obviously much less than the building is intrinsically worth, may at first sight appear unreasonable, when it is recollected that the edifice in question was granted gratuitously, on a perpetual lease, by a former Corporation: but it must be remembered that the Board of Public Schools have no personal interest whatever, in the matter, and that the fund, of which they are the guardians, will in fact suffer by the arrangement; since it will take a greater sum to establish them equally well elsewhere. The true view, however, of the case, is this—the money will be used for the best of all possible purposes, the education of the poor. Even, however, if the property in question were conveyed to the Corporation without consideration, nothing would be gained. A new school house would then be indispensably necessary, and the public would have to furnish the money for its erection. The Corporation consequently will now merely do in one form, for a highly important purpose, what would have to be done in another, were it required, without that inducement.

The cost of fitting up the building, agreeably to the estimate herewith annexed, will be \$19,000. That this sum, when added to the first cost is large, the Committee must both admit and regret. But they beg it will be always recollected that the present condition of the debtors in Bridewell, of the prisoners at Bellevue, awaiting their trial, is a scandal to the city councils, and can no longer be borne. Some mode of relief must consequently be adopted. The Committee submit the best, which after every inquiry, they have been able to devise. If any member

can point out a more eligible, and at the same time a more economical plan, it shall have the support of the Committee, and its author their thanks. But if this cannot be done, if nothing better can be suggested, it is hoped that every one will sustain what he acknowledges he cannot improve.

On the whole, then, the Committee recommend the adoption of the following resolutions:

*Resolved*, if the Board of Aldermen concur, that the sum of \$26,500 be and the same is hereby appropriated, for procuring the school house at the corner of Chatham-street and Tryon row; and that the Comptroller draw his warrant for that sum, in favor of the Board of Public Schools, upon their releasing to the Corporation their claim upon the said building.

*Resolved*, That the sum of \$19,000 be appropriated for fitting up the said building as a House of Detention for criminals, and of reception for debtors.

WM. C. WALES,  
J. AUG. SMITH,  
C. C. JACOBUS.

*Public School No. 1, August 10, 1833.*

*To the Committee of the Board of Assistants, relative to the purchase of Public School No. 1, of which J. A. Smith is Chairman.*

As a Committee on behalf of the Board of Public Schools, to confer with you as a Committee on behalf of the Board of Assistant Aldermen, relative to the purchase by the Corporation of Public School No. 1, we are directed to say, that the Board of Public Schools have no desire to dispose of the building in question, which they have always found exceedingly convenient on account of its locality, and ample accommodations for their school, their own session room, and for the family of the teacher; but deeming it their duty, as well as it is their pleasure, to meet

the views of the Common Council, so far as circumstances will permit, they have decided to offer the building and lease to the Corporation, for the sum of 26,500 dollars, delivery and payment to be made on the first day of May next.

Although the property has greatly increased in value, and is worth much more than this amount to the Public School Society, which will have to expend a much greater sum for a site and building in lieu of No. 1, as they must have at least one school in the lower part of the city, this amount has been fixed on as being the sum which appraisers appointed in 1826, on the part of the Corporation and of the Society, decided it would be right should be paid for the premises, if surrendered by the trustees.

The trustees are very desirous the question should now be finally settled, as the state of uncertainty in which they have for several years been kept by repeated applications, formal and informal, on the part of the Corporation, with respect to No. 1, has prevented them making those necessary alterations and repairs on the building, which it has needed, and which have now become absolutely essential.

A copy of the award made by Elisha W. King, Peter A. Jay, Henry J. Wyckoff, and Asa Mann, the appraisers, is annexed.

WILLIAM W. FOX,  
LINDLEY MURRAY,  
HIRAM KETCHUM.

(COPY AWARD.)

The undersigned arbitrators, appointed as well on behalf of the Mayor, Aldermen and Commonalty of the city of New York, as on behalf of the trustees of the Public School Society of New York, to determine the value of the school house and lot No. 1, corner of Chatham street and Tryon row, in the said city, having examined the said premises and the lease thereof, and duly considered the sub-

ject, do award and determine that in our opinion the terms specified in the said lease is worth the sum of twenty-six thousand five hundred dollars, which in the event of surrendering the said lease, ought to be paid by the Corporation to the lessees.

Given under our hands, this 3d day of July, 1826.

Signed

ASA MANN,  
HENRY J. WYCKOFF,  
PETER AUGUSTUS JAY,  
E. W. KING.

*Board of Assistants, October 27, 1834.*

The following Report was presented by the Finance Committee adopted and referred to the Special Committee of this Board and joint Committee of Police, Watch and Prisons, and Charity and Alms House.

The Committee on Finance of the Board of Assistant Aldermen, to whom was referred the communication of a Committee of the Board of Public Schools and the Report of the Committee on Police, Watch and Prisons, on the purchase of Public School No. 1, situated at the corner of Chatham street and Tryon Row, for a House of Detention,

**RESPECTFULLY REPORT,**

That inasmuch as there has been a Special Committee appointed by this Board who have the subject under consideration, and inasmuch as the joint Committees on Police, Watch and Prisons, and Charity and Alms House, have also under consideration the subject of exchanging certain public grounds for the square now occupied by the State Arsenal, and which in a measure will bring the subject of locating a House of Detention before that Committee. It appears to your Committee manifestly proper that the annexed communication should have the action of the said Committees, they therefore submit for the consideration of this Board the following Resolution.

*Resolved,* That the Committee on Finances be dis-



charged from the further consideration of the annexed papers, and that the same be referred to the Special Committee appointed by this Board on the subject, together with the joint Committees on Police, Watch and Prisons, and Charity and Alms House.

Respectfully submitted.

LAMBERT SUYDAM,  
WM. SAMUEL JOHNSON,  
J. J. BOYD.

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NUMBER V.

*Extracts from the Annual Message of the Honorable C. W. Lawrence, Mayor, &c. to the Common Council, of June 30th, 1834.*

The Police Department occupies a prominent position in the economy of all well regulated governments. In a country like ours, which is peculiarly a government of the people, great importance should be attached to this branch of our domestic policy. It should be a leading principle in our system to endeavor to eradicate criminal propensities, and thus to render less necessary a dependance on penal laws. Morality and benevolence appeal to us for the prevention of crime—the sterner principle of justice alone demands the punishment of the criminal.

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I solicit your attention to a subject which I consider of very great importance to the rights of individuals, and to the character of the city government: it is one which affords more cause of censure than any other which has received my examination. In the detention of persons charged with crime, their health, morals and civil rights seem to be greatly neglected. The means pursued for answering the ends of justice, appear to my mind wholly



at variance with that fundamental maxim of law, by which all men are assumed to be innocent, until they are proved guilty. Our practice seems founded on an opposite principle. A recent examination of two of the houses of detention, has convinced me that a radical change in their management is necessary. I found in one apartment about forty, and in another twenty-eight persons, charged with offences of different kinds and degrees, from venial errors of disobedience, to crimes of atrocious character. It is evident to me that this practice is inconsistent with the ends of justice, and destructive of all hopes of a diminution of crime, or of the melioration of the character of those classes most likely to be suspected of offences against the law. Surely there is neither propriety nor justice in placing a juvenile and venial offender in direct and contaminating association with the hardened transgressor: still less excuse is there for subjecting the innocent and unfortunate, to loathsome and corrupting intercourse with the guilty and depraved. I feel assured that you will agree with me in opinion on this subject, and I respectfully recommend the early adoption of measures to provide more suitable and better arranged places of detention for accused persons before trial.

This subject has at different times engaged the attention of the Common Council, but without resulting in the desired measures. I would particularly refer you to a document published by the board of Assistant Aldermen, on the 13th of February, 1832—number eighteen; and to a subsequent document from the same body, bearing date twenty-second of July, 1833—number sixteen.

In the reports contained in these publications, the pernicious tendency of the course to which I have referred, is ably discussed; and the details they present afford much useful information.

I have long been of opinion, that the building at the west end of the City-Hall should either be removed en-

tirely, or thoroughly remodelled and improved. It is wholly unfit for the purposes to which it is applied; and in many respects is offensive to good tastes of our citizens. Its situation is prominent and central: and the nuisances to which its present condition and uses give rise are, therefore, the more conspicuous. The public voice, I do not doubt, would approve its removal, or an entire change, both of the exterior and interior of this edifice. I earnestly recommend this subject to your early attention.

Several suggestions have been made in regard to a suitable site for a principal House of Detention, but the selection properly appertains to your duties. Strong reasons doubtless exist in favor of a location contiguous to the place of trial. I am anxious, however, so far as the expression of my opinions may have influence, to preserve, and if possible, to extend, the open grounds in the vicinity of the City-Hall. Our public squares are few and small. In disencumbering as much of that conspicuous ornament of our city, the Park, as the public service will admit, we shall essentially contribute to its cleanliness and beauty; and I feel assured that we shall thereby add to the health, and gratify the feelings of our fellow-citizens.

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## NUMBER VI.

*Extracts from the Report of the Commissions of the Alms-House, made September 29th, 1834.*

The Commissioners feel bound to bring to the consideration of the Common Council, the state of the Bridewell Department of our Prisons. This is the most defective of all the establishments under their charge, and at the same time most expensive to the public, and most injurious and uncomfortable to the prisoners. The part of the

Old Penitentiary at Bellevue, occupied as a Bridewell, consists of five rooms, the largest of which is forty-one by twenty-one, and contains on an average, from 40 to 70 persons, charged with all the different grades of crimes, except murder, and a few of the highest offences. The other rooms are small, and are also, of necessity, crowded, and are badly ventilated and ill contrived for a Bridewell. Apprentice boys, for instance, on coming into office, we found committed and confined in the large prison-room, for the crime of a contemplated running away from a vessel. They were much worse off, in the prison accommodation which the Corporation furnished them, than a sentenced convict for arson or highway robbery would be in either your Penitentiary or State Prison. We have done all we could to remedy this evil, but the classification is not sufficiently complete. The law presumes that persons detained in Bridewell, waiting their trials, are innocent; humanity decrees them every accommodation, consistent with their safe keeping, and the sternest justice yields to them easy access to Counsel, to their friends, and to their witnesses. Police Officers and Magistrates, from constant intercourse with criminals, become hard judges, and are probably sometimes almost led to doubt the existence of innocence and virtue. All Police Departments and regulations should therefore furnish accused persons the greatest facility of obtaining Counsel and intercourse with friends and witnesses. That there are many charges for small crimes made in this City, from revenge and bad motive, no person who has been on a Grand or Petit Jury, can doubt. Individuals so charged, as well as those really guilty, after being charged by their accusers, are arrested and put in a close carriage, and transported three miles out of town; perhaps the offence, (if they be guilty when sifted down,) is in reality but an assault and battery, in throwing a snow ball; or an assault in the raising a broom by a woman in some slight quarrel, as to who has taken

the most water, out of a copartnership cistern. Individuals so charged are generally poor, and to accuse them, when they are to be treated as at present, is as detrimental to them, so far as punishment is concerned, as to have been guilty of a serious crime. They are carried off to Bellevue, a difficulty immediately arises of procuring bail; and it cannot be denied or doubted, that many persons are, under our present practice, continued in prison, who, if the Bridewell was in the City, could get bailed out; and it also cannot be denied, that these persons are sometimes innocent; for a police process is almost always granted on an *ex parte* statement, and sometimes it is that of the offending party.

In the cases where prisoners are charged with higher crimes, though they in some instances occasion a notoriety, or excite an interest which leads to their cases being attended to, yet the services of Counsel are frequently gratuitous, and they must be at great expense in travelling backwards and forwards to be informed of the facts of the clients' case; or as is, no doubt sometimes the case, a fellow being is put on his trial for a high crime, without the advantage of conferring with his Counsel, or procuring the attendance of witnesses, because he has been separated three miles both from his Counsel and the persons whom he expected to be witnesses for him.

Justice would appear to require this should not be so; our institutions boast that they furnish Counsel and assistance, and the advantage of witnesses to all persons however guilty. Our City Police is hardly in conformity with this benign and republican principle.

There is one other point in view in which we wish to present our Bridewell establishment; it relates to the expense of these establishments. A few years since, when we had but one Bridewell, and that in the City, the expense was much less than at present, after making a suitable allowance for the increase of prisoners. Now the

city has three Bridewell establishments, the one at the Old Jail, another the basement apartment of the Old Alms-house, both for temporary detention, and the Bellevue Bridewell; at the latter of which places the prisoners are mainly kept. It is obvious that the two first small establishments are required, because the main establishment is kept out of town; was there a Bridewell in the city, both of these smaller establishments could be dispensed with, and of course, the number of keepers materially lessened. But the most material expense attendant on the out of town Bridewell prison, is the transportation of prisoners backwards and forwards, to and from Police examinations, and to and from attending Courts, sometimes to be arraigned, sometimes to be tried, sometimes to be sentenced, sometimes to witnesses. When prisoners are brought down, it frequently happens that the Court is otherways engaged; sometimes the Court is ready but the witnesses of the prisoner are not in attendance, sometimes the witnesses of the people are not at hand, and to avoid the circumstance of the Court having no business to occupy them, and with a commendable view to clear the calendar, a large number of prisoners are constantly in regular attendance, and many of them are frequently several times brought backwards and forwards. One day this month 60 prisoners were brought down, and most of them taken back, and it sometimes has happened that eighty have been brought down, and the same number carried back in one day.

These admitted facts, need but be mentioned, to show the Corporation the great expense of necessity attendant on this transportation, not unfrequently attended by Police Officers, and yet with all this expense, it frequently happens that the Court could proceed with some case, the witnesses and parties all being ready but the prisoner, who is required to be present, is three miles off. We have not the means of stating what is the exact expense



of the transportation, but we have the fact that there were committed in 1833, to the Bridewell at Bellevue 5269 persons on first, or original commitments; if we suppose they go there but twice, and twice back again, and that each transportation is but fifty cents each way, we have the sum of \$10,538; but we believe that we might set down this extra expense at much more. For these reasons we urge that it would be a great saving to the public, to bring the Bridewell, the principal Police office, and the Special Sessions at least nearer to each other, and perhaps one central Building would accommodate them all. This important subject is also respectfully submitted to your consideration.

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#### NUMBER VII.

*Copy of the Petition of Hugh Maxwell and others—Presented to the Board of Aldermen, June 22, 1834, and referred to the Committee on Police, Watch and Prisons.*

To the Honorable the Common Council of the City of New-York, this Memorial of the undersigned respectfully sheweth,

THAT your Petitioners are deeply impressed with a belief that the numerous evils arising out of the present system, pursued in relation to persons accused of crimes, in the manner of their imprisonment, are so great as to require the immediate attention of the City Government, and the erection of a House of Detention on a judicious plan.

Your Petitioners beg of your honorable body their serious attention to the following remarks :

Persons under arrest and charged with crimes, are first placed for custody in the lower cells of the Bridewell,



whence removals take place several times in the week to the prison at Bellevue. In both these places of confinement, and the removal also, it has been clearly ascertained that circumstances exist which lead to demoralize the prisoners, and to counteract the very object of the laws.

First, with respect to the Bridewell the following facts are stated on authority which cannot be questioned :—In the cells appropriated for the reception of persons detained for trial, there are from ten to fifty persons generally confined at a time. In these places persons are mingled without discrimination : those guilty of slight offences with the most hardened and notorious offenders ; those arrested on mistaken suspicion or on malicious accusation, however innocent or injured, however trained to virtue or exposed to temptation, are all turned into common apartments, and compelled to associate in the most intimate manner, without supervision, both by day and by night. Even persons imprisoned to secure their testimony are committed to the same place of confinement, in opposition to reason and right.

The leisure afforded in the prisons is generally occupied by its inmates in loose and criminal conversation. Remorse, shame and repentance are the subjects of ridicule. Those who have made the greatest proficiency in wickedness, detail to their hearers the various expedients and schemes of the successful rogue. Thus the comparatively moral and uninitiated in crime, while they become rapidly demoralized, are taught all the arts of villany. Many cases have been known in which persons imprisoned for petty offences, or on false accusations, have not only been corrupted in this manner, but actually led to ruin. Many who, when first brought into the cells were comparatively or wholly innocent, have been afterwards received as bold and dangerous villains, ready in their turn to corrupt and ruin others.

Scenes have often occurred in these cells which natural-

ly result from such a system of promiscuous imprisonment. Persons decently dressed, or possessing money or other valuables, on entering the crowd, have often been immediately seized and robbed; so that it is common to warn newcomers of their danger, and to caution them to leave such articles as they may most easily be deprived of, in the care of the keeper.

That such evils should exist in our city prisons, as now constructed, is perhaps unavoidable; probably. Hence, therefore, when the vast number of persons annually committed to this prison is taken into view, (a number stated at from five thousand, to five thousand three hundred,) and the unavoidable consequence of the system, an enormous increase of immorality and crime, is duly considered, reformation seems to be imperiously demanded by every sense of duty both to ourselves and to the whole country.

The wisest and best men who have expressed their matured opinions on the subject, agree in the high importance of preventive measures for the diminution of crime; reason and experience abundantly substantiate their doctrine. To produce so desirable a result, it is of the utmost importance that the young, and indeed that all, at their entrance upon a criminal career, should be secluded from all corrupting associations, introduced to friendly advisers, and instructed in their duty, and shown the consequences of vice and virtue. As in very many instances they have only been misled, it is believed they may, if taken in time and properly treated, be restored to the paths of rectitude. Instead, then, of throwing young culprits into the society of robbers, burglars, and thus wresting by force from their hearts all remains of shame, and every desire for virtue and respectability, as is now the case, the city government should take effectual care at least to guard them against gratuitous contamination while under the keeping of the laws.

It should not be forgotten that a very large proportion

of the persons annually committed to the Bridewell are never brought to trial. These are such as are arrested on different charges, but against whom no accuser appears at the time of trial. From returns believed to be authentic, not less than six thousand out of eight thousand were discharged without trial in the four years 1822, to 1825 ; and the proportion is still very great. Each of these individuals is exposed to the corrupting influence of the society found in the cells, as well as to the stigma of having been seen in such company.

But the attention of your honorable body has not been thus directed to the condition of the Bridewell, because it embraces all or most of the evils of which your petitioners complain. Compared with those existing at another location under the same system, it is small indeed ; and to these the attention of your honorable body is now requested for a few moments, as, after the reflections above made, the necessity of a remedy, it is respectfully believed, will appear the more imperative.

Persons when fully committed and awaiting their trial, are generally confined for a time in the prison at Bellevue, and are thence brought to the City Hall, to appear in court. They are thus transported twice a considerable distance, in a close wagon, generally in considerable numbers ; both sexes been confined indiscriminately together. Those who are found innocent and finally set at liberty, in common with others, are subject to this degrading mode of transportation, as well as the imprisonment ; and are of course exposed to the gaze of bystanders on entering and leaving the vehicle,—a mortification and an injury to an innocent person, for which there can be no satisfaction or amends.

In the prison at Bellevue, there is a great mass of accused persons waiting in expectation of trial, in apartments continually crowded with from thirty to sixty individuals each, who are turned together, with little or no regard to age or character. The number congregated in each cell

being much greater than in the Bridewell, the opportunities for mutual corruption are greatly increased, with the other abuses, naturally arising from the association of such persons, in such circumstances. In the Bellevue prison one evil of great magnitude exists, from which the Bridewell is happily free. The windows of the mens' apartment, are under those of the women; and as they are kept open a great part of the time to afford ventilation, what is spoken in one is audible in the other; and all the inmates are exposed to the vilest and most profane language which the greatest wretches in either can give utterance to.

In the opinion of your petitioners, a prison constructed and conducted on such a plan, must necessarily prove a source of immense and various evils to the public, and is wholly inconsistent with the effectual operation of the laws, and the best interests of the community and the nation. When it is considered how rapidly, under these influences, must be the deterioration of character, and the diffusion of the knowledge of perpetrating and concealing crimes, it seems to be an imperious duty to construct a prison free from such defects, and calculated for a different system of management.

Your petitioners do therefore earnestly but respectfully urge, that a building be constructed in some convenient and healthy place, with cells of suitable size, well lighted and ventilated, and in number sufficient to receive separately all persons at any time detained for trial. They are of the opinion, too, that persons awaiting examination and trial are entitled to more comfortable accommodations than those who have been sentenced to punishment. They think, also, that all unnecessary exposure of them to the public gaze ought to be avoided; and therefore would wish to have the courts held in a part of the building containing the prison.

It is confidently believed that if persons, while awaiting

trial, were placed in solitary apartments, and furnished with the Holy Scriptures and other good books, their characters would be improved rather than deteriorated; and that virtuous and humane individuals would cheerfully perform the task of visiting the prisoners to ascertain their circumstances, to administer friendly advice, and to afford them useful moral instruction.

New York, which has honorably distinguished herself by founding a Refuge for Juvenile Delinquents, and which was the first to construct a Penitentiary upon the only sound principles of solitary confinement at night, and labor without conversation by day, would, it is believed, confer upon the world a new and not less important benefit, by founding a kindred institution, while she would secure some of her most important interests. The expense, it is conceived, cannot be reasonably urged against erecting ■ building upon such a plan; for it is evident that the most truly expensive system which could be devised is that at present pursued, because the number of re-committals is very greatly enlarged under this system, which from its nature is a nursery of crime; a system which now does, and must, if continued ■ few years longer, in a still greater ratio increase criminals and crimes, and cause incalculable losses of property by robbery and otherwise.

It has been suggested to your Petitioners, that confinement in a solitary cell is in fact a cruel punishment, and such as ought not to be inflicted on any but a convict. But surely if the alternative be presented of association with the depraved or solitary confinement, it is conceived no hesitation could arise which to accept. Moreover, an individual merely committed for trial, and daily expecting a decision in his case, feels comparatively but little the irksomeness of his condition. If innocent, he has the cheering reflection arising from the consciousness of being so; if guilty, he only anticipates ■ merited fate.

Your Petitioners are not insensible of the various diffi-



culties attendant upon a reform of the present most pernicious and corrupt system, yet they do confidently hope that your honorable body will see the necessity of overcoming them, and effecting a radical and complete change.

H Maxwell  
 Jas J A Bruce  
 Wm Bard  
 N W Strong  
 R Havens  
 J Phillips Phoenix  
 Lewis Phillips  
 Wm N Clark  
 Chris Wolfe  
 Thos A Ronalds  
 John Adams  
 Jacob Lorillard  
 Hiram Ketohum  
 Jos Ketchum  
 Wm Coard  
 Abm G Thompson  
 Tho R Mercein  
 Lebbeus Chapman  
 John Peshine  
 Saml Whittemore  
 J F Sibell  
 Chas Town  
 Dudley Persse  
 Smieton Thomson  
 Anthony Lamb  
 Jona Seymour  
 Geo Ireland  
 J M Bradhurst  
 William W Fox  
 Stacy B Collins  
 Abner Chichester  
 F Nostrave  
 Seth Geer  
 John L Moffat  
 F D Allen  
 J M Bernhizel, M D

Chester Clark  
 John D'Wolf  
 H H Schieffelin  
 Richd Kingsland  
 John D Keese  
 Wm H Minturn  
 Geo T Trimble  
 Jon Goodhue  
 P Perit  
 R R Minturn  
 Henry Grinnell  
 Moses H Grinnell  
 G N Ward  
 Aug Cornwall  
 Micah Baldwin  
 Henry Parish  
 Daniel Parish  
 Peter Augustus Jay  
 Abm Bell & Co  
 Joseph Walker  
 Jon Lawrence  
 Thos L Clark  
 James Rellanley  
 John B Schmelzel  
 Ado Chandler  
 W E Dean  
 E White  
 Wm Hager  
 J Van Benschoten  
 J L Bowne  
 J J Coddington  
 Robert J Murray  
 Lindley Murray  
 Wm Wood  
 Henry Rankin  
 Joseph Curtis



J C Reed  
B P Blackly  
George Rogers  
J A Hanna  
R Z Bradford  
Allen C Hallock  
Robert Scott  
Thomas Money Penny  
Aaron B Hallock  
Andrew Colvin  
Wm N Duane, M D  
Richard Lawrence  
P Falconer Dustan  
Henry Kipp  
E S Kipp  
A J Bergen  
Chas Maison  
Corns J Bergen  
George W Greer  
N Whitman  
F D Allen, jr  
R Sedgwick  
Arch Gracie  
C O Halsted  
N W Weed  
Levi Coit

W R Scribner  
Saml S Bowman  
Thomas Curtis  
Henry Miller  
Wm M Wilmarth  
Jesse Brown  
Robt Crighead  
R Vaughan  
Jacob Acker  
J M Cholwell  
Jona Little  
Benj Curtis  
Jno E Hyde  
Underhill & Ferris  
Henry A Little  
Daniel W Coit  
Knowles Taylor  
Jeremiah H Taylor  
William Kain  
Refus L Lord  
Edwin Lord  
Thos Lord  
Rich J Tucker  
Geo Lourie  
J Heard  
Erastus Barnes

Allen O. Hall  
Robert Scott  
Thomas Thompson  
Aaron S. Hall  
Andrew  
m N. D. Hall  
Richard

Underhill & F  
A  
Daniel W. Hall  
Knowles  
Jeremiah H. Hall  
K

**DOCUMENT NO. 30.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 24, 1834.**

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Report to the Committee on Laws relative to a change in the Law relating to Jurors. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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*Resolved,* That it be referred to the Committee on Laws to enquire into and report upon, the expediency of applying to the Legislature for such change in the Law relating to Jurors, as will exempt Jurors from attendance at the trial of a cause, but will permit them to decide upon the merits, upon a written submission of the testimony.

The Committee on Laws &c., to whom it was referred to enquire into and report upon the expediency of applying to the Legislature for such change in the law relating to Jurors, will exempt Jurors from attendance at the

trial of a cause, but will permit them to decide upon the merits, upon a written submission of the testimony.

### RESPECTFULLY REPORT,

That when the resolution was at first introduced, they were not a little surprised at the novelty of the proposition, but they have given to it, all that consideration which its importance deserves.

They consider the *trial by Jury* and examination of witnesses before them in open court, as now, for centuries enjoyed, one of the most inestimable rights guaranteed to the citizen by the Constitution and Laws of the country—and on which no infringement can be made, without jeopardizing our dearest interests, as respects both life and property. They therefore can never consent to any inroads being made upon it. It should forever be preserved inviolate.

It is believed, that it would be very easy for the Committee to point out the most injurious consequences that would inevitably result by adopting the proposed resolution but they deem it unnecessary to consume time upon a subject, which if sanctioned by Law, they conceive would tend directly to destroy one of our most inestimable privileges as freemen, and one of the strongest safeguards of private rights.

The Committee therefore respectfully recommend 'for adoption the following—"Resolved that it is inexpedient to adopt the proposed resolution."

Respectfully Submitted,

HORACE HOLDEN,	} Law Com.
WM. SAM'L JOHNSON.	

Nov. 24, 1834.

**DOCUMENT NO. 31.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**NOVEMBER 24, 1834.**

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Report of the Committee on Laws relative to the expediency of applying to the Legislature to pass a Law requiring the Registry of Votes in this City, &c.—laid on the table, ordered to be printed—and Clerk directed to furnish members with all documents on the subject.

**R. FISHER, Clerk.**

---

The Committee on Laws, &c. to whom was referred the Resolution to enquire into the expediency of applying to the next Legislature to pass a law requiring a general registry of votes for the City and County of New York and prohibiting every person from voting at any election in the said City and County whose name has not been previously registered according to law :

To whom also was referred the Report of the Committee of the late Board thereon, to which is appended the draft of a proposed law and observations thereon,

**RESPECTFULLY REPORT,**

That they have carefully considered the said Report prepared by the late Assistant Alderman, Dr. J. Aug. Smith,

and fully concur in the views and remarks therein contained.

This subject also received the attention of our late Mayor, the Honorable Gideon Lee. In a communication made to the Common Council on the 14th day of April last, he recommended the passage of additional laws in conformity with the provisions of the 3d Section of the 2d Article of the Constitution which reads thus :

“ Laws shall be made for ascertaining by proper proofs  
“ the Citizens who shall be entitled to the right of suffrage  
“ hereby established.”

The Committee have long felt the importance of this subject and earnestly hope that the time has come, when it will not only receive the approbation of the Common Council, but the prompt action of our Legislature at its next Session.

A compliance with the proposed law, imposes no hardship upon the citizen. It is the best mode, in the opinion of the Committee that can be devised, of securing to every legal voter, the certain enjoyment of the Elective Franchise.

If not all, it will remedy most of the evils now complained of in this community ; and if it is not found to be perfect in all its provisions and details, a little experience and practice upon it, will doubtless suggest such improvement as from time to time ought to be made, with a view to realize all the benefits which it is designed to secure.

The Committee therefore recommend the adoption of the Resolution and Report, and the proposed draft of a Law on the subject.

Respectfully Submitted,

HORACE HOLDEN,	} Law
WM. SAML. JOHNSON.	

Nov. 24, 1834.



**DOCUMENT NO. 32.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**DECEMBER 15, 1834.**

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Report of the Finance Committee on the petition of Daniel Fanshaw and Francis Panton, to be paid certain sums awarded to them by the proceedings for widening Ann Street, without prejudice to the measures taken by them to reverse such proceedings,—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Finance Committee to whom was referred the annexed Petition of Daniel Fanshaw and Francis Panton:

**RESPECTFULLY REPORT—**

That by the proceedings for widening Ann Street, from Nassau to William Street, certain property was taken from the petitioners respectively, and damages awarded to them, viz: to Daniel Fanshaw, \$2590, and to Francis

Panton, \$1135, or thereabouts. The Petitioners opposed the confirmation of those proceedings before the Supreme Court, but without success, and they have since obtained a writ of *certiorari* by which the proceedings may eventually be brought before the Court of Errors.

After the confirmation of the report of the Commissioners by the Supreme Court, the usual measures were taken to collect the Assessments, and all the sums awarded for damages have been paid, except the amounts awarded to the Petitioners respectively, they having positively refused to receive the warrants drawn in their favor for that purpose although repeatedly offered to them by the Street Commissioner. The money still lies ready for them, but fearful that by taking it they might prejudice their case in Court, they decline doing so, unless the Common Council stipulate that their acceptance of the money shall not be used as an argument against them on any future hearing which may take place under the *certiorari*. Their present petition asks that the money should be paid to them, and that the Counsel should be instructed to take no advantage of such payment. The Petitioners also in an interview with the Committee, proposed that the money should be put out at interest by the Corporation for their benefit.

On full consideration of this case the Committee are of opinion, that the Common Council should abstain from making any arrangement with the Petitioners or disposing of the above money in any way for their accommodation. The case of widening Ann Street was twice argued before the Supreme Court in consequence of the opposition of Mr. Fanshaw and Mr. Panton, and the result each time, was in favor of the Report of the Commissioners. Every other person interested in the proceedings has been settled with, and the Street has actually been widened, and it does not appear reasonable under those circumstances that the Common Council should extend any facility to two discontented parties, to reverse or disturb

those proceedings. The amounts awarded to those gentlemen are at all times ready for them, and if they are losing the interest or use of the money by their unwillingness to receive it, they can blame none but themselves. The Committee are of opinion that it would be a dangerous precedent for future cases of this nature which may arrive, if the present request should be complied with. They accordingly submit the following Resolution :

*Resolved*, That it is inexpedient to comply with the prayer of the said Petition.

LAMBERT SUYDAM, }  
WM. SAM'L JOHNSON, } *Committee.*  
J. J. BOYD, }

*To the Honorable the Common Council of the City of New-York.*

The Petition of Daniel Fanshaw and Francis Panten of the said City,

**RESPECTFULLY SHEWETH,**

That the Commissioners of Estimate and Assessment for widening Ann Street from Nassau to William Street, awarded to your petitioner Daniel Fanshaw \$2590, and to your petitioner Francis Panten \$1135, or thereabouts.

That your petitioners presented their objections to the Supreme Court against the report of the Commissioners, the case has been heard before Judge Nelson, a *certiorari* has been allowed in the case and is still pending, and that from an intimation given to your Petitioners by Chief Justice Savage, they believe that, as an important principle is involved in the decision, that the Supreme Court are desirous, that the questions in the case should be

passed upon by the Court of Errors, where in all probability the matter will be finally disposed of, at some remote day.

Your petitioners further shew, that the amounts awarded to them now remain in Bank without drawing interest; they therefore pray, that an order may be passed authorising the Comptroller to pay to them the amounts respectively awarded to them, and that the Counsel of the Board be instructed, that it is consented on the part of Common Council that such payments are to be made, without prejudice to the rights of either party on the final decision of the case.

D. FANSHAW.  
FRANCIS PANTON,

*New-York, Nov. 17, 1834.*

**DOCUMENT NO. 33.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**DECEMBER 15, 1834.**

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Annual Report of the Commissioners of School Money.  
Laid on the table, and ordered to be printed.

**R. FISHER, Clerk.**

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The Commissioners of School Money of the City and County of New-York in compliance with the requisitions of the Statute—

**RESPECTFULLY REPORT,**

That the balance at their credit in the Mechanics' Bank, at the date of their last Report, was two hundred and seven dollars and forty-seven cents ; from which was drawn on the 6th of December last, to defray the expenses of visitation, eighty-one dollars and eighteen cents ; leaving a balance in Bank of one hundred and twenty-six dollars and twenty-nine cents.

That on the 7th of June last, there was deposited in the Mechanics' Bank to their credit, the following sums, viz : Ten thousand five hundred and seventy-six dollars and fifty-six cents, being the quota of the State School Fund for the City and County of New-York, and ten thousand five hundred and seventy-six dollars and fifty-six cents, by the Corporation of the City of New-York, being an equiva-

lent to the quota of the State School Fund—and the further sum of seventy-two thousand six hundred and fifty-one dollars the amount of special tax raised by the Corporation of the City of New-York, making in all (including the balance above mentioned) ninety-three thousand nine hundred and thirty dollars and forty-one cents, received by the Commissioners during the last year, and which has been distributed in conformity to the Ordinance of the Common Council of the City of New-York, designating the Schools which are to participate therein, as follows, viz :

	Scholars.	Amount.	Scholars on Register.
To the Trustees of the Public			
School Society for the average attendance of	6,421	\$75,703 59	11,265
“ Manumission Society,	699	8,241 21	1,608
“ Greenwich Orphan Asylum Society,	164	1,933 56	164
“ Roman Catholic Orphan Asylum,	136	1,603 44	139
“ Trustees of the Institution for instructing the blind,	9	106 11	15
“ Trustees of the Yorkville School,	71	837 09	64
“ Trustees of the Harlaem Schools,	123	1,450 17	180
“ Trustees of the Manhattanville School,	59	695 61	83
“ Trustees of the Hamilton School,	15	176 85	24
“ Mechanics’ Society,	34	400 86	46
Total distribution,	17,731	91,148 49	13,588

The Commissioners further Report, that as the School on Long Island Farms is beyond the limits of the City and County of New-York, and in which 234 Scholars were ed-



uated during the last year, and for which the Public School Society claimed a distribution of two thousand seven hundred and fifty-eight dollars and eighty-six cents, it was decided by the Commissioners, that this sum should be retained, and left subject to the determination of the Superintendant of Common Schools, to whom, in conformity with the Statute in such cases provided, it was supposed an appeal would be made by the parties claiming the same. This amount, together with a fractional balance of twenty-three dollars and six cents, making in all, two thousand seven hundred and eighty-one dollars and ninety-two cents, now remains at the credit of the Commissioners in the Mechanics' Bank, and unless otherwise directed by the Superintendant of Common Schools, will form part of the Fund for distribution the ensuing year. Reference being had to the foregoing statements of distribution, it will be perceived that the number of Scholars on the Registers of the Schools, is nearly double that of the number in actual attendance; this difference is owing to the irregularity of the Scholars—for which, if a remedy could be devised, it would be desirable.

The Commissioners cannot close their Report, without expressing their entire satisfaction and approbation of the assiduity and attention of the Trustees of the Public School Society, in their efforts to extend to all, who will avail themselves of the opportunity, of receiving that education so well calculated to qualify them for the various relations in life, and future usefulness.

They would also congratulate them on the speedy prospect of having it in their power, by the means of their primary Schools, and the erection and establishment of larger Schools in those sections of the City where they may be required, fully to accomplish the laudable design of those benevolent citizens who first projected the plan of the Public School Society, and that they will have the satisfaction of knowing their labour has not been in vain.

Nor would it be just on the part of the Commissioners, to withhold that meed of praise which is due to each and every Society having charge of other Schools in our City, and to each of the benevolent individuals having the care and supervision of those best of charitable institutions, the Asylums for the Orphans, in which Schools have been established, and which alike participate in the Fund—for their care and attention, which is fully evinced, not only in the increased number of Scholars, but also in the improvement manifested at the recent examinations made at their visitations.

In conclusion, the Commissioners would congratulate the Honorable the Corporation, and the Superintendent of Common Schools, on the progress of education in this City, the increase of Schools, and as far as examination can test, the progressive advancement of the Scholars, the selection of Teachers, the improved and extended system of education, afford ample testimony of the care and attention of the Trustees of the several Schools under their supervision.

By order,

WM. THOMPSON, Chairman.

SAML. N. DODGE, Sec'ry.

*New-York, Nov. 20, 1834.*

**DOCUMENT NO. 34.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**DECEMBER 15, 1834.**

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Return of the Fire Wardens for the City of New York,  
laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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In accordance with the Resolution offered by Assistant Alderman Purdy, requiring the Chief Engineer to report to the Board of Assistant Aldermen the names and residence of the Fire Wardens of the several wards in the City of New York, I beg leave leave most respectfully to Report.

**JAMES GULICK, Chief Engineer.**

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**FIRE WARDENS OF THE CITY OF NEW YORK.**

**FIRST WARD.**

William Cook, Foreman, 88 Broad, corner of Stone.

Philip Dater, 161 Front.

Henry B. Cook, 88 Broad, corner of Stone.

James A. Coffin, 21 Coenties Slip.

John Cook, 32 New Street.

Isaac Labagh, 87 Front Street.

## SECOND WARD.

Robert Furlong, jr. Foreman, 43 Nassau Street.  
George Timpson, 16 Beekman Street.  
Adam W. Spies, 43 Nassau Street.  
Charles Colgate, 8 Dutch Street.  
John Holdsworth, 54 Beekman Street.  
Robert Sinclair, 216 Broadway.

## THIRD WARD.

Henry B. Greenwood, Foreman, Greenwich & Cortlandt.  
John W. Degrauw, 65 Warren Street.  
Edward F. Randolph, 65 Warren Street.  
Andrew E. Mount, 56 Vesey Street.  
Frederick Hoadley, 63 Vesey Street.  
William Bleakley, jr. 244 Fulton Street.

## FOURTH WARD.

William F. Hopson, Foreman, 33 Frankfort Street.  
Daniel C. Pentz, 62 Roosevelt Street.  
Walter B. Townsend, 33 Madison Street.  
William E. Crooker, 39 Roosevelt Street.  
John Boardman, 249 William Street.  
James B. Townsend, 345 Pearl Street.

## FIFTH WARD.

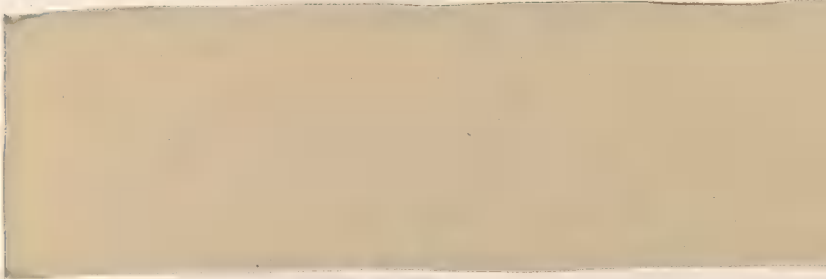
Cornelius Cadle, Foreman, 33 Harrison Street.  
George B. Inness, 451 Greenwich Street.  
George Young, 84 North Moore Street.  
Evan Jones, jr. 51 White Street.  
Thomas H. Hodgkinson, 96 Hudson Street.  
Thomas I. Ireland, 88 North Moore Street.

## SIXTH WARD.

Enock Dean, Foreman, 130 Bowery.  
John Gates, 125 Chatham Street.  
Isaac P. Whitehead, 111 Elm Street.  
Beal L. Dean, 88 Elizabeth Street.  
Elias G. Drake, 35 Bowery.  
Robert W. Buloid, 59 Chambers Street.

## SEVENTH WARD.

Joseph Monk, Foreman, 61 Monroe Street.  
J. Madison Tilley, 62 Market Street.  
William H. Macy, 25 Pike Street.  
William M. Haydock, 180 East Broadway.  
William Scott, 311 East Broadway.



## NINTH WARD.

John Talman, jr. Foreman, 81 Bedford Street.  
Daniel De Pew, Bleecker and Grove.  
Henry Cox, 83 Barrow Street.  
Thomas Cox, 81 Barrow Street.  
John Acker, 81 Bedford Street.

## TENTH WARD.

William G. Henshaw, Foreman, 65 Christie Street.  
G. De Angelis, 142 Madison Street.  
R. H. Haydock, 72 Hester Street.  
S. D. Thorne, 174 Division Street.  
B. L. Guion, 60 Division Street.  
N. Tompkins, 112 Eldridge Street.

## ELEVENTH WARD.

Henry Hedden, Clinton and Houston Streets.  
J. B. Hawkins, 99 Stanton Street.  
James Brower, 167 Allen Street.  
Arnest Fink, jr. 170 Eldridge Street.  
Charles B. Kemble, 29 Second Street.  
Jacob G. Theall, Rivington and Clinton Streets.

THIRTEENTH WARD.

William C. Brooks, Foreman, 120 Clinton Street.

Charles A. Whittingham, 142 Clinton Street.

Simeon Abrahams, 54 Norfolk Street.

David Logan, 60 Willett Street.

George Mills, 120 Clinton Street.

Herbert T. Willette, 127 Delancey Street.

FIFTEENTH WARD.

John W. Taylor, Foreman, 174 Laurens Street.

George A. Harriott, 215 Thompson Street.

Archibald Reid, Houston and Mott Streets

Eccles Gillender, 701 Broadway.

Carlisle Norwood, 6 Bond Street.

Warren Kimball, 51 Amity Street.



**BOARD OF  
ASSISTANT ALDERMEN,**

**DECEMBER 29, 1834.**

---

Report of the Special Committee on the petition of the Bank of America, on the subject of widening William street, from Wall street to Maiden Lane, laid on the table, ordered to be printed, and made the special order for the next meeting.

**R. FISHER, Clerk.**

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*To the Honorable the Common Council of the City of  
New-York.*

The President and Directors of the Bank of America, respectfully represent :

That about four years since they purchased the site of their Banking house, at the north west corner of Wall and William streets, with the intention of erecting thereon, without delay, a new and commodious Banking house, for the better and more secure accommodation of the bank ; and they accordingly, soon after the purchase, commenced the necessary preparation to build, and had incurred a very considerable expense in the progress made therein ; when they were advised that it was in contemplation to widen William street on the westerly side, from Wall

street to Maiden Lane, and that a petition would soon be presented to the Common Council for that purpose, which petition was afterwards, accordingly presented; and as the contemplated alteration of the street, would if adopted take a portion of the ground of your petitioners, they deemed it prudent and proper, under such circumstances, to suspend for a time, the erection of the contemplated building, and to wait until the question respecting the widening of William street should be settled and determined; hoping and believing however, that the delay would not be for a longer period than a few months; or at most, one year. Your petitioners however regret that their expectations therein have been disappointed, and that the question of widening the street still remains undecided.

Your petitioners, therefore, further represent, that as circumstances now render it very desirable, if not absolutely necessary, that there should be no further delay in providing the suitable and proper accommodation for the Bank, they have resolved to erect early in the ensuing Spring, a substantial and commodious Banking house on their ground at the northwest corner of Wall and William streets; and they are therefore very desirous, and consider it of importance that it should be previously settled and determined whether William street is to remain as it is, or to be widened as herein before mentioned, and as your petitioners are now about to make the necessary preparations to build, by entering into contracts for the stone, and other materials, and in making engagements with Mechanics, &c. by which a heavy loss will be sustained if their plans cannot be executed. They do therefore respectfully, but earnestly pray that your honorable body will decide by an early day, whether William street shall, or shall not, be widened from Wall street to Maiden Lane; and thereby enable your petitioners to proceed with their building without fear of loss, or molestation.

GEO. NEWBOLD, President.

*Bank of America, Nov. 7th, 1834.*

The Special Committee of the Board of Assistants, to whom was referred the petition of the Bank of America, praying for a speedy decision on the application of various individuals, for the widening of William-street, on the westerly side thereof,—from Wall street to Maiden Lane—

### RESPECTFULLY REPORT,

That in responding to the petition of the Bank of America, two important questions necessarily arise:

*First*—As to the necessity or expediency of widening that section of William street between Wall street and Maiden Lane, and

*Secondly*—If such widening is necessary, to what extent it be so widened.

By a reference to the files of this Board, (Document No. 17,) it will be perceived that a petition signed by many highly respectable individuals, owners of property on William street and its vicinity, was presented to the Common Council, praying that William street might be widened on the westerly side thereof, from Wall street to Frankfort street, so as to make the same forty-five feet wide from Wall street to Maiden Lane, and fifty feet wide from Maiden Lane to Frankfort street, with a suggestion of the propriety of extending William street, on a direct line to Chatham street, at a breadth of fifty feet.

The subjects embraced in that petition were very fully discussed, and much valuable information presented, in the report of the Street Committee upon that petition, and to which we have above alluded. The Committee take occasion, however, to state, that from the same exhibition of facts, they have been compelled to arrive at a very different conclusion.

The Resolutions of the Street Committee appended to the Report made by them upon the said petition, and adverse to the prayer of the petitioners, assumes that the

proposed widening of William street from Wall street to Maiden Lane, is but a part of a plan for the improvement of the whole street, and "if made at all, should be made in connection with a widening of the street through its entire length and extension to Chatham street;" and the Committee strongly intimate that as William street may become one of the great thorough fares of our city, a greater width of street will be necessary in that portion of the street commencing at Maiden Lane and extending to Chatham street, than the petitioners have requested. While your Committee do not deem it necessary for them to express an opinion of the practicability of widening William street from Maiden Lane to Frankfort street, or of extending it through to Chatham street, they do not deem that the extent of the widening of that section of the street between Maiden Lane and Wall street, should materially depend upon such proposed further improvement.

The object that the petitioners obviously have in view, is to convert this section of William street into a street fitting for the wholesale or jobbing business, and on which they propose to erect large and commodious stores and warehouses. They ask for a width of street sufficient for those purposes, and not that it should be converted, at an enormous expense, into a wide avenue, for the sole purpose of affording convenient ingress to another street, in which the heavy monied operations of the city are transacted.

As to the first question then—the expediency of widening William street between Wall street and Maiden Lane, the fact that is fully set forth in the Report of the Street Committee, that William street on the proposed section varies in width from thirty to near forty feet, but as averaging about thirty-four feet, if to be applied to the purposes contemplated by the petitioners would in the opinion of this Committee, be abundantly sufficient to remove all doubts upon the subject. Great inconveniences are expe-

rienced in our narrow streets, which are used for jobbing or wholesale business, in which there is a necessity for the receiving or delivering of goods to and from carts, and your Committee believe that the present width of the street is wholly inadequate.

As to the second question—To what extent should it be widened ?

Your Committee remark, that a large proportion, if not all of the proprietors of lands on this section of the street, have concurred in recommending forty feet as the most proper and convenient width ; and your Committee believe, that with few exceptions, it is not sound legislation to open streets to a greater width than is required by those who are immediately interested in the benefits as well as damages arising therefrom.

The Committee would further remark, that the street at Wall street, is but 34 feet 11 inches in width ; 30 feet 2 inches at the southerly line, and 32 feet 7 inches at the northerly line of Pine street ; 36 feet 10 inches at the southerly, and 37 feet 7 inches at the northerly line of Cedar street, about 40 feet at Liberty street, and 33 feet at Maiden Lane, shewing a very irregular line on the west side of the street, and in various parts too limited in width for the purposes to which it is to be applied.

Upon as full an examination of the expense to which those interested would be subjected by the proposed increase in width, as your Committee have been able to make, they are induced to believe that it would not materially exceed the sum of fifty-eight thousand five hundred and fifty-four dollars ; whereas, were the width increased to forty-five feet, it would incur an expense of about one hundred and six thousand nine hundred and twenty-five dollars.

This additional increase of expense should be avoided in the opinion of your Committee, unless public necessities imperatively required it.



Your Committee would further remark, that no satisfactory reasons present themselves, to induce the opinion that all Street improvements commencing in the upper sections of our City, should necessarily centre in Wall street, particularly when the extension of those improvements to that street is necessarily attended with great and, as you approach it, with increased expense.

They believe that our great avenues or thorough fares may terminate short of Wall street, with increased advantage to the upper sections of the City, and especially, that if William street should be widened and extended from Maiden Lane to Chatham street, from the irregularity of its surface it would be very questionable whether it should not terminate at Maiden Lane, or some street still more remote from Wall street. The present high price of lots in Wall street and its vicinity, and the great increase of rents in that neighbourhood, seem to admonish the City authorities that, all reasonable measures should be adopted to extend the advantages so almost exclusively confined to this section of the City, to other portions of the same.

In addition to the reasons assigned by your Committee, they refer to those adduced by the Committee on Streets, in their very valuable report above alluded to, tending to confirm the opinion expressed by this Committee.

Your Committee will further remark, that a large proportion of the proprietors of the lots on this section of William street, are waiting the decision of the Board upon this important subject, with the intention of immediately making their contracts preparatory to building ; and that longer delay in disposing of the question is attended with serious inconvenience to the petitioners.

Your Committee, therefore, respectfully recommend the adoption of the following resolution :—

*Resolved*, That William street be widened between Wall street and Maiden Lane, by taking off from the property on the westerly side thereof, so much as will make



the said street, when so widened, forty feet in width, and that the Counsel take the necessary steps to have the said improvement carried into effect.

JOHN DE LAMATER,  
F. A. TALLMADGE,  
LAMBERT SUYDAM.

---

William S. Johnson & F. A. Tallmadge, Esq's.

Chairmen of the Committee on Streets and the Special Committee; to whom was referred, the Petition of the Bank of America, to have the line of William street, definitely settled between Maiden Lane and Wall street, without further delay.

Gentlemen:—

With this we hand you two Maps shewing the necessary ground required to be taken from the westerly side of William street, to make the same 40 or 45 feet wide (with a calculation shewing with as much accuracy as we can suppose necessary) the number of feet and value of ground for each, leaving it with yourselves to determine as to the value of the buildings, from this will be seen the very great difference of cost in making this improvement, whether of 40 or 45 feet in width, and we are satisfied from many years experience in business, that a street of 40 feet affords sufficient advantages and facilities for commercial purposes, and that the very large saving in expenditure will so much reduce the assessment for benefits, as to preclude any dissatisfaction that might otherwise exist. And we would likewise urge the pressing necessity of a speedy decision, as the time is fast approaching when it will be necessary for the owners of a large proportion of this ground to close their contracts for new buildings, and in-

deed many contracts are already closed for buildings to be begun on the first of May next. And gentlemen while we press this subject upon your consideration, we abstain from entering into any further agreement as to the propriety or policy of the measure, leaving it with you and the two boards, with whom you are associated to decide the question. Hoping it will meet your prompt attention.

We remain Gentlemen,

Your obedient humble servants.

New-York, 23d Dec. 1834.

Hicks, Lawrence & Co.	John R. Pitkin
Robert Jones, (40 feet)	David Austin
Allison Post, (40 feet)	E. Holbrook
W. B. Post	Saml. B. Schieffelin
Rufus L. Lord	Thomas W. Pearsall
W. B. Lawrence	Adee, Timpson & Co.
Jesse Scofield	Corlies, Haydock & Co.
Ann McCready, (40 feet)	Lawrence Proudfoot, (40ft.)

**BOARD OF  
ASSISTANT ALDERMEN,  
DECEMBER 29, 1834.**

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Report of the Street Committee of the Board of Assistants, on the petition to regulate the Side Walks of the Third Avenue from 28th to 40th Street,—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Street Committee to whom was referred, the annexed memorial of sundry persons, owners of property on the Third Avenue, and its vicinity, praying the Common Council to take the necessary measures for regulating the Sidewalks of that Avenue, from 28th Street to 40th Street, beg leave to

**REPORT,**

The Petitioners set forth that serious embarrassments are experienced by persons travelling the Avenue on foot, by reason of the Sidewalks not being regulated, which compels all the foot passengers to walk on that part of the Avenue, appropriated for wheel carriages. This Avenue as is well known, has for years past been the great leading thoroughfare to the eastern section of the City, and is paved, and the sidewalks also regulated and paved up to 28th Street, at which point the Macadam Road be-

gins, but from which, northward the sidewalks have yet not been dug out or regulated, by or under any ordinance of the Common Council, although in some individual instances, the proprietors have had it done for their own convenience. Your Committee are fully aware that any attempt to lay before the Board the expediency of adopting the proposed measure is wholly unnecessary, the immense throng of wheel carriages of all descriptions, which continually are whirling over this road, must render apparent to the most superficial observer, the propriety of providing for the safety of the pedestrian whose necessary avocations make it requisite for him to pass along the Avenue, which can only be done by furnishing a path on the sides of the Avenue, out of the reach of interruption from wheel carriages. In order however, effectually to accomplish this purpose, it will be necessary to revert to the facts connected with the established graduations of the city level, as determined by law.

In examining the proceedings of the Common Council, it will be found, that the regulations of the Streets and Avenues are at present definitely fixed, up as far as 33d Street only; but it has always been understood, that surface of the 3d Avenue as it is now Macadamised was to be the permanent regulation of that Avenue, and in the opinion of the Committee, no possible objection can exist to passing an ordinance or resolution to that effect at present, so as to render legal the requisite ordinance for digging out and regulating the sidewalks, and assessing the expense thereof on the adjacent property, as is usual in other parts of the City; and the more especially so as the present value of the property is such as fully to justify it;—with these views your Committee offer the following Resolutions :

*Resolved*, That the present Macadamised surface of the 3rd Avenue, from 33rd to 43rd Street, be and the same is hereby declared to be the fixed level, of that part of the City.

*Resolved*, That the Sidewalks of the 3rd Avenue from 28th to 40th Street be pitched and regulated, and the Street Commissioner is directed to present the ordinance proper for that purpose.

FRA'S FICKETT, GIDEON OSTRANDER, EDWARD TAYLOR,	}	<i>Committee on Streets!</i>
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The Street Committee to whom was referred the annexed report of the Street Committee of the Board of Aldermen, in relation to regulating the Sidewalks of the Third Avenue from 28th to 40th Street,

RESPECTFULLY REPORT,—

That from an examination of the said report, it will be seen that two separate and distinct subjects are referred to therein and are passed on by separate resolutions. The one being declaratory of the permanent level for that portion of the Third Avenue, and the other providing for performing the necessary work to render the Sidewalks of the Avenue conformable to such permanent graduation; and although your Committee, believe it expedient to pass both these resolutions, yet in respect to that one of them which fixes the level of the Avenue, they deem it necessary to enter somewhat more in detail than is done by the report above alluded to and which is hereunto annexed: so as to lay before the Board, the particular reason why the Resolution should now be passed.

It has heretofore been customary in determining the regulations of the Avenues and Streets, to make them in sections of about half a mile in extent northwardly, and reaching across the island from East to North river.

Thus some years since they were settled from 14th to 23d Street, subsequently they were still further carried out from 23rd to 33rd Streets; and by a vote of the Common Council, passed December 31, 1833, the Street Commissioner was directed to prepare a plan for the further graduation of the Streets and Avenues from 33rd to



43rd Street, and which includes that part of the Third Avenue now under consideration, and in pursuance of these directions a suitable plan was prepared, but has not yet been reported to the Common Council for the following reason:

In the Report made to the Corporation by the Water Commissioners, it is proposed to make the station for their principal distributing reservoir, near the intersection of the Fifth Avenue and 38th Street, and for that purpose to occupy two entire squares of land, and this is predicated in the idea of maintaining the present elevation of the land, hence it is manifest the Street Commissioner cannot safely lay before the Common Council any plan for graduations from 33rd to 43rd Street, until the elevations for conducting the Water be definitely fixed ; for if the plan as reported, be finally adopted, then the height of the present surface must be maintained, and will necessarily have a material influence on the regulations of the surrounding Streets and Avenues, which otherwise it might be convenient to reduce from ten to twenty feet.

The propriety of waiting for this determination is so obvious as not to require any further remark. Meanwhile, the Corporation are called on by petitions from the owners of property on the Third Avenue to furnish the proper accommodation for foot passengers by levelling and regulating the Sidewalks as far up as 40th Street ; and it is certainly very proper the public should be so accommodated, which can only be done by declaring the graduation of that portion of the Avenue to be fixed according to the present Macadamised surface, and thus legalize the Ordinance hereafter to be passed. As there is no doubt but the ultimate regulations of this section will be made so as to conform to the present elevation of the Third Avenue, however they may be finally adjusted with regard to the Water Station on the Fifth Avenue.

Your Committee are satisfied of the expediency of fixing the regulation of that portion of the Third Avenue agreeably to the prayer of the petitioners, and recommend a concurrence in the Report and Resolutions passed by the Board of Aldermen thereon.

WM. SAM'L JOHNSON, } *Street*  
SAMUEL PURDY, } *Commit-*  
ROBERT SMITH, } *tee.*

*December 29, 1834.*

*To the Honorable the Mayor, Aldermen and Commonalty of  
the City of New-York.*

The Memorial of the undersigned owners and occupants  
of Property on the Third Avenue and its vicinity,

**RESPECTFULLY REPRESENT :**

That much inconvenience is experienced by persons travelling the Avenue on foot by reason of the Sidewalks remaining unregulated, the immense and constant passing of carriages on the centre of the Avenue, rendering it dangerous for those who live in that neighborhood and who have in pursuit of their daily avocations to pass up and down the Avenue.

They therefore respectfully solicit that your honorable body would direct the necessary measures to be taken to have the Sidewalks of the said Avenue from 28th to 40th Street regulated to the full width thereof. And your Memorialists as in duty bound will ever be respectful.

Isaac Van Cleif.

W. R. Hitchcock.

Fuller & Thomas.

George A. Furst.

A. B. Jackson.

Joshua Meads.

Robert Marshall.

John Y. Van Tuyl.

Joseph Haskett.

Abel Wheaton.

James Cleland.

Peter Cooper.

John Cooper, Jun'r.

*New-York, Sept. 16th, 1824.*



BOARD OF  
ASSISTANT ALDERMEN,

DECEMBER 29, 1834.

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Report of the Street Committee on the Resolution of the 21st of July last to inquire into the expediency of closing East Bank Street, laid on the table and ordered to be printed.

R. FISHER, *Clerk.*

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*Resolved*, That it be referred to the Street Committee to enquire into the expediency of closing East Bank street, from Twelfth to Fourteenth street.

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The Committee on Streets, to whom was referred the Resolution of the Board of Assistants directing an enquiry into the expediency of closing *East Bank Street* from 12th to 14th Street,—

RESPECTFULLY REPORT,

That the Street Commissioner has given the public notice of this resolution required by law, and the committee have been attended by some of the parties interested in the subject matter of the resolution. The Committee have examined the subject, and deem it proper to lay fully before the Common Council the facts and the law which relate to it.

East Bank Street was originally laid out by Mr. Alex-

ander Robertson, now deceased, who was then the owner of a large tract of land, extending on both sides of the street. The Committee are led to believe that this took place during the prevalence of the yellow fever in this city in the summer of 1803, and by deeds recorded in the office of the Register, it appears that Mr. Robertson about or shortly after that period, laid out lots fronting on the street, and conveyed them to sundry individuals. Those lots are now held by persons claiming title under those conveyances, and they conform, as to boundaries and description, with Mr. Robertson's plan. By the closing of the street 14 lots will be shut out from any street, and but a few of them can gain fronts by any apportionment that could be made among them of the land now known as East Bank Street. Those lots also lie diagonally to the streets and avenues laid down on the map or plan of the city. Their situation will be seen by reference to the diagram of that section of the city which the Committee have annexed to their Report.

The public inconveniences which arose and were likely to arise, from individuals laying out streets through their lands, to suit their own fancies, were early felt and perceived, and by an act of the Legislature, passed April 2d, 1803, Sec. 10, (Webster's edition of the Laws, vol. 3, p. 232) it was enacted, "That no new street shall hereafter be laid out in the said city, except with the approbation of the Mayor, Aldermen, and Commonalty, in Common Council convened; and that if any street shall be laid out without such permission it shall be lawful for the said Mayor, &c., by bye-law or ordinance, to direct the same to be stopped up, and all buildings adjoining thereto to be removed by the proprietors within such times, and under such penalties as they shall think proper." East Bank street was laid out after the passing of the said act, and (in presumption of law, at least) with full knowledge of its provisions; and from an examination made for the Com-



mittee by the Deputy Clerk of the Common Council, it would appear that no permission was ever granted by the Corporation of this city to lay out the said street, and that it was never ceded to or accepted by that body as a street. There appears therefore to have been a disregard of the law on the part of the original proprietor and projector, which has not been waived, or its effects cured, by any act of the Common Council, and the present proprietors deriving title from such original owner, must submit to whatever inconvenience or injury may result to their lots from the necessity of closing the said street, not only without any claim for compensation or damages, but without the right even to complain.

It is not necessary to enquire whether the abovementioned act of 1803 is still in force, because even if it were, it would not in the opinion of the Committee, operate on the present case. By the 4th section of the "act relative to improvements touching the laying out of streets and roads in the city of New York, and for other purposes," passed April 3d, 1807, it is enacted that the Commissioners, (appointed by the act,) or any two of them, shall have and possess exclusive power to lay out streets, roads, and public squares, of such width, extent and direction as to them shall seem most conducive to public good, and to shut up or direct to be shut up any streets or parts of streets, which have been heretofore laid out, and not accepted by the Common Council of the said city, within that part of the city to the northward of a line, &c., (known as the Commissioners' line.) And no square or plot of ground, made by the intersection of any streets to be laid out by the said commissioners shall ever, after the streets around the same shall be opened, be or remain divided by any public lane, or alley, street or thoroughfare." By the 8th section of the same law it is provided that the plans, &c. of the said Commissioners should be final and conclusive, as well in respect to the Mayor, Aldermen, and Com-

monalty, as in respect to the owners and occupants of lands, &c. within the boundaries, &c. The Commissioners appointed by this act closed their labours by filing their map on the 1st of April, 1811; and East Bank Street, although lying northward of the Commissioners' line, is not a street laid out on the said map as a part of their plan of that portion of the city.

It will be observed that this provision in the 4th section of the above act, does not authorise any proceedings on the part of the Common Council to close any such public or open lane, alley, street, or thoroughfare, intersecting or dividing any square or plot of ground, made by the intersection of any streets laid out by the Commissioners, but it actually and by its terms, closes them without any proceedings for that purpose. It defines a state of things in which they shall cease in law to exist as streets or thoroughfares, to wit: *whenever the streets around the square or plot of ground intersected by them shall have been opened.*— That state of things has come about in respect to that part of East Bank Street in question. It lies between the 6th and 7th Avenues, and runs from 12th to 14th street, and those avenues and streets, as well as 13th street, have all been opened, regulated and paved.

If any doubts should arise whether East Bank Street has ever been a *public* street or thoroughfare, or whether without such character, it would come within the operation of the above provision in the 4th section in the act of 1807, such doubts can be easily put at rest. Although laid out by a private individual, and ~~never~~ ceded to the Common Council, East Bank Street has been open to and used by the public for a sufficient length of time to vest the public with a right of user, as against the original proprietor or those claiming under him, and the very fact that the projector of the street sold lots fronting on it *as a street*, constitutes an act of dedication, which connected with *any* subsequent use by the public, would bar him and his as-

signs from any attempt to resume or shut it up. It is not necessary however to consider this point more at length, because even if it were not a *public street*, in the sense in which that expression may have been used in the 4th section of the act of 1807, it would still come within the operation of that section. The language of the provision is "by any public or open lane, alley, street, or thoroughfare." The intention of the law was to secure the integrity of the Commissioners' plan, and to prevent it from being disfigured by any open road passage or way whatever, crossing or dividing the blocks to be formed by the streets or avenues laid out by them, and perhaps a stronger instance of the evil against which that law intended to guard could not be conceived than is now presented by the present condition of East Bank Street.

It is proper to remark that an act was passed on the 20th April, 1818, specially authorizing the Mayor, Aldermen and Commonalty of this city to close streets and roads, which act is still in force; but the Committee are of opinion that the operation of the act of 1807, above referred to, has rendered any resort to the proceedings prescribed by the act of 1818 unnecessary, as regards East Bank street. In all cases of closing streets or roads to the southward of the Commissioners' line, and in all cases to the northward of that line, where the Common Council may deem it expedient to close a street or road before the streets and avenues surrounding the block intersected by such street or road shall have been opened, it is necessary to proceed in the mode pointed out by the act of 1818; but as soon as the streets and avenues within which this part of East Bank Street lay, were opened, the act of 1807 took effect upon it, and annulled its character as a street or open way; and from that time it has been in legal contemplation, only so much vacant and unenclosed ground. The act of 1807, while it provides against the continuance, or further existence of the street or way,

as such, does not, in any respect, affect the title to the land occupied thereby: This is regulated by the common law principle that the fee-simple of a public road or highway, vests in the adjoining proprietors to the middle of the road, subject to the easement of a right of way over it in the public, and that when such road is closed, or such easement ceases, such proprietor may resume or take possession to the extent covered by their respective titles.

The Committee are fully of opinion that such is the present condition of East Bank Street, that is to say; that the easement of the public right of way over it has ceased; that it has resumed its character of private property and may be taken possession of and enclosed by such person or persons as may now by law have the fee in him or them. With any division or apportionment of the land the Corporation can have no concern, but it becomes their duty to regulate the condition and use of it in such manner as the interests of the public may require, and the law furnishes them with full power so to do. By the 175 section of the "act to reduce several laws relating particularly to the City of New York into one act," passed April 9th, 1813, the Mayor, Aldermen and Commonalty, are authorised to order and direct the raising, reducing, levelling or fencing in of any vacant lot in the City, and to cause the expence thereof to be assessed among the owners or occupants of the houses or lots intended to be benefitted thereby. This law is frequently resorted to, to abate the nuisances created by vacant lots, where the owners are not known, or refuse to comply with the order of the Common Council requiring them to be filled up or enclosed, and the present situation of the ground known as East Bank Street, between 12th and 14th streets, and of the adjacent lots emphatically requires that the provisions of that law should be applied thereto. The natural surface of the land in the plot formed by the Sixth and Seventh Avenues and 12th and 14th streets, is about ten feet be-

low the City graduation, and the blocks are filled up to a reasonable height excepting the portions of them occupied by what is called East Bank Street, and the houses and yards of houses fronting thereon, which are raised but a little above the natural surface; and thus two deep hollows are formed, one between 12th and 13th streets and the other between 13th and 14th streets. These hollows it is admitted on all hands are public nuisances which ought to be abated. During the last summer one of them became the locality of the Cholera and it seems to be a fit abiding place for any species of moral or physical corruption.

The Committee have consulted the Counsel of the Board on the subject referred to them, and at their request he prepared this report with reasonings and conclusions of which this Committee concur in and approve. We therefore recommend for adoption by the Common Council of the following Resolution.

*Resolved*, That the vacant land heretofore called "East Bank Street" lying between 12th and 14th streets be filled up to the proper City level, and that the same be fenced in under the direction of the Street Commissioner, who is hereby instructed to present the proper Ordinance for that purpose.

WM. SAM'L JOHNSON,	} Street Committee.
SAMUEL PURDY,	
ROBERT SMITH,	

*December 29th, 1834.*





**DOCUMENT NO. 38.**

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**BOARD OF  
ASSISTANT ALDERMEN,  
JANUARY 5, 1835.**

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Report of the Special Joint Committee on Blackwell's Island and the Long Island Farms, on the Lunatic Asylum—laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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**BOARD OF ALDERMEN, October 6th, 1834.**

*Resolved*, That so much of the Report of the Commissioners of the Alms-House, as relates to the erection of ■■ additional Building on Long Island Farms for the accommodation of the Children, a modification of the plan of the Building about being erected on Blackwell's Island for ■ Lunatic Asylum,—be referred to the Joint Special Committee on Blackwell's Island and Long Island Farms.

**J. MORTON, Clerk.**

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The Joint Special Committee on Blackwell's Island and the Long Island Farms, to whom was referred, by the resolution of the Board of Assistants of the 16th June last, the communication from Dr. MacDonald, on the subject of an Asylum for the Insane, (printed Doc. No. 101,) and by resolution of the Board of Aldermen of the 6th of October last, (amongst other things,) so much of Report of the Com-

missioners of Alms House, as relates to a "modification of the plan of a Building about being erected on Blackwell's Island, for a Lunatic Asylum."

### MOST RESPECTFULLY REPORT,

That they have approached the subject referred to them, with more than usual embarrassment ; inasmuch as the duty imposed by the resolution of the Board of Aldermen, requires them to review the acts of their predecessors. This might have controlled this Committee were it not that they have been put in possession of matters in relation to Lunatic Asylums, which were not within the reach of their predecessors, and were not considered by them, and from the fact that nothing has been done, towards the erection of the Building beyond the preparation of a drawing of one floor and of the elevation of the Building, neither of which would be of any use as working drawings.

On the 17th of February last past, the Special Committee on Blackwell's Island and the Long Island Farms of the last Board made their report on this subject, contained in the printed Document No. 93, and described a Building for a Lunatic Asylum, which they recommended for adoption by the Common Council ; and the same was adopted. The plan of the Building is a copy of the Lunatic Asylum, established at Limerick in Ireland, except that the wings containing the cells or wards for the patients are extended to the length of 437 feet, instead of being limited to about 163 feet as in the Limerick Asylum, and in some few other, but minor particulars.

The Limerick Asylum was erected in 1826—and some few years after the erection of the Lunatic Asylum at Wakefield in England. Until recently, the Committee are advised, this latter institution has been considered as built on the best plan of any single building heretofore erected for the purpose ; and as combining more effectually than any other, the several requisites of *classifications*,

*supervision, ventilation and conveniences for treatment.*—There are however objections to that edifice which seem to have prevailed with our predecessors.

In November last, through the kindness of Dr. James MacDonald, of the Bloomingdale Lunatic Asylum, this Committee were put in possession of complete drawings of the Middlesex County Pauper Lunatic Asylum, an institution recently established near the City of London, England, and completed during the last year. These drawings were received by Dr. MacDonald in the month of October last, and have furnished to this Committee many important ideas.

It seems to be agreed by all who have given their attention to this subject, that certain things are *essential* in the construction of a Building designed for the cure or accommodation of Lunatics, and these essentials form in the language of our predecessors its “architectural fitness.” Such are the means of classification, supervision, and ventilation. It is desirable not only to divide the inmates of the Asylum into appropriate classes, but to separate the classes entirely from each other; and if possible, to prevent a knowledge by any one class of the existence of any other in the edifice. It is another object never to be lost sight of in the construction of such a Building, that it should be so arranged, that the Patients whether in the galleries to their wards, in their day rooms or airing grounds, should never be out of sight of their immediate keepers; and that the keepers should be constantly exposed to the oversight of their superiors. The combination of these advantages in any one Building seems to have formed the embarrassment in the plans of all Lunatic Asylums; and it seems to be admitted that, the first near approach to it was effected in that established at Wakefield. The Limerick Asylum was an attempt at improvement on the Wakefield plan, and as it was intended for only about 150 patients, and has wings only about 162 feet in length

may have answered the purposes of so small an institution very well. The plan of that Asylum, however, when applied to the designed location of the one to be built for the City of New York, and for the number of patients this City is likely to have on its charge, seemed to the Committee, liable to several very formidable objections, amongst which the following are specified ; namely,

The plan contemplates the erection of wings to contain the patients wards 437 feet in length projecting from the corners of a centre building. The elevation of the site for the centre building is about 24 feet above high water mark. The wings would project beyond the present water line of the Island, and be erected on land which falls from 13 to 14 feet. If the floors of the wings therefore should be built on the same level, the corridors would run to an extreme and unsightly length, and if made of any reasonable width would dwindle into apparent contraction and afford no effectual means of supervision: The floors would run to a great and inconvenient height from the ground, and leave below the first floor an extensive range of room in the two wings of 875 feet in length by 25 inches in width, of which a small portion only would be of use, at a large and useless expenditure in walls below the water table. If on the contrary, the wings should be built with breaks at convenient distances corresponding with the face of the ground, then, those portions removed from the centre building would be out of the supervision of the superiors, and not only the patients thus placed be out of sight of the principles, but they would be left almost entirely to the tender mercies of under keepers and servants. On either plan the supervision would be very imperfect, and the inconveniences incident to a wide separation of parts of the establishment very great and of controlling importance. These wings on this plan were designed to have but one row of wards opening upon corridors running their entire length, under an apprehension that sufficient ventilation

could not be gained if they were constructed on both sides of the corridors; and this Committee are of opinion that the objection is well founded. So many insane patients as would be collected on one floor of such extreme length, would require more ventilation than could be obtained with comfort to the inmates of the wards.

By the same plan, the centre building is proposed to be but 65 feet by 45, and to contain on the principal floor but four rooms 18 by 25 feet—with a Commissioner's room, an office, a day room and an Apothecary's room. The second story is designed for the accommodation of "the Keeper and his Assistants." This Committee are advised that other rooms are extremely important in a Lunatic Asylum, if not essential. And there are many reasons why such rooms should be situated in the centre building which it is presumed will form the residence of the Principal of the establishment. Of these the most important are *reception* and *visiting rooms*, and it seems also very desirable that to each sex should be appropriated in this part of the establishment a day-room or parlour, for such patients as are either of a better sort or have approached so near to sanity and health; that they may be released from the severity of discipline prevailing in other parts of the establishment.

The want of convenient day-rooms for the patients, also forms in the opinion of this Committee an objection to the plan of Building under review. And the outline of an edifice of the proposed form, composed of a centre building and either two or four diverging wings projecting therefrom, seems to be out of all architectural proportion, and render it impossible to make the edifice creditable to the taste of the City. And this Committee, both as members of the Common Council and as individuals, are very ready to express their desire, never to see any public building erected by the City that will not be creditable to its taste as well as its liberality.

The defects in the proposed plan above noted, seem to this Committee, to be in a great degree avoided in the plan of the Middlesex Asylum, which, like the Limerick Asylum is indebted to the Wakefield Asylum for its principle features though they both differ from it most materially in their general outlines: And this Committee, have adopted the Middlesex Asylum as the best mode for such an institution as this City requires, and have caused drawings to be prepared of the edifice they would recommend for adoption by the Common Council based upon the principles of that institution. The proposed Building differs from the Middlesex in some particulars, which it is hoped constitute improvements. It is to be recollected that the sexes must be kept entirely separate, and therefore that two complete establishments must be embraced in the Asylum.

This Committee recommend that the Lunatic Asylum to be built by the Corporation on Blackwell's Island, be of the following description, namely:—A centre building of 90 feet square, containing in the basement a complete kitchen establishment designed to supply the food for the whole Asylum; and also, a private kitchen for the Principal, whom the Committee presume will be with head Physician. That the first or principle story contain two *reception* rooms one for each sex, into which patients may be introduced when first brought to the Asylum, and there kept until the nature of their diseases and appropriate classes can be ascertained; two *visiting rooms* where the friends of the patients may see and converse with them, without being introduced into the wards—it being desirable that strangers be kept from the wards and galleries, as their presence there is apt to excite the patients and retard their progress in recovery; an *office* for the Physician capable of containing such an assortment of Drugs as such an establishment would require; a *parlor* and *bed room* for the Physician contiguous to his office; an *office*



for the Steward or man of business of the Institution; two parlours or *day rooms* for the better sort or nearly sane class of patients.

It seems important to this Committee that these several rooms should all be provided, and that they should be on the principle floor and under the immediate eye of the Principal of the institution: And they find that they can be all furnished, and of sufficient size, in a building of 90 feet square, and a large room be left for the accommodation of Committees or Commissioners on their visits of inspection—and as a reception room for strangers.

The second floor to contain a *Chapel*, without which no Lunatic Asylum would be considered complete. It is ascertained that religious instruction very readily engages the attention of the insane, and is a most efficient means of leading the mind from its wanderings and onward towards a healthy action. It is estimated that from 35 to 50 per cent, can be usually trusted in a Chapel and be benefitted by the service.

On the same floor can be furnished two Day-Rooms for patients, one on each side, and connected with the wings containing the wards, and thus save so much room in the wings to be used as wards.

The residue of this floor will furnish sleeping rooms for the family of the Principal, and for the most improved patients.

It will probably be deemed advisable to carry this centre building to the height of three stories. The decision will depend much upon the details of the Asylum, which must be almost necessarily left to the discretion of the committees, or commissioners, who shall be charged with the subject. By carrying it to the height of three stories, it is now apparent to the committee that the chapel will thereby be much improved, from the power it will afford of giving its ceiling the height of two stories, and thereby

likening it the more to places of worship the patients have been accustomed to : that the architectural proportions of the whole edifice will be much improved thereby, and at the same time that the residue of the room in the third story can be very advantageously used for patients and servants.

This building to be divided by cross halls through its centre, and to have its stairs at their intersection.

From each side of the centre building, (other than the front and rear) wings to be built, two stories in height, and two hundred feet in length, to contain the patients' wards ; each ward to be 10 feet by 8, and eleven feet in height ; the wards to open upon a corridor at least 10 feet in width. On the one side of the corridor, wards to be built its whole length, excepting a saloon at each end, for light and air, and for staircases, and on the other side for about two thirds of the entire length, the other third to have the outer wall receded to the corridor, thus to effect a perfect ventilation, and give the best light and greatest cheerfulness to the corridor.

These corridors to correspond with and form a continuation of the cross hall of the centre building, so that a complete view of them can be commanded from the corresponding floor of the centre building, and from the stairs.

That at the ends of these wings, opposite to the centre, buildings of an octagonal form be erected, of a number of stories corresponding with the centre building, and of about 80 feet diameter. That each of the floors of these buildings, corresponding with the floors of the wards, contain two day-rooms, an infirmary, and rooms for attendants, or dining rooms, leaving between them an inspection lobby round the stairs, which should be made to rise in the centre of the building.

The cellars of these buildings may contain kitchens and their appendages, baths, &c., should it be found expe-

dient to use two kitchens, one for each of the main departments, instead of one for the whole.

The third stories will form accommodations for the lower servants of the institution, and also for convalescent patients if needed.

That from one face of each of these octagonal buildings a wing be built at right angles to those described, and of a like description, and terminated by buildings of about 40 feet square, of the same number of stones as the center and octagonal buildings. These latter buildings are designed for the worst class of patients—those who are noisy, filthy, and need close confinement.

It is proposed that the Asylum be made to front the east, and the last described wings to be run westwardly, in which direction the ground falls, and so much that the wings will be left to stand high on the foundation. The space thus formed under the cells will form the necessary work-shops, laundreys, bake-houses, baths, &c., which the Institution will require, and it is believed will not furnish more room than will be needed for such purposes.

An edifice of the dimensions above described, will contain accommodations for more than 300 patients, besides officers, keepers, and servants. The city has now on its charge about 150 lunatics, and the number must be expected to increase with the increase of our population.—The Committee therefore deem it wise that a plan of edifice be adopted at the commencement, capable of being extended with the demand there shall be for its extension: and it will be observed on inspecting the plan, that the edifice proposed may be enlarged by building wings from two of the remaining faces of the octagons, and still preserve its unity of exterior, and the operation of the principles of its interior arrangements. But the committee recommend that only two wings, their connecting octagonal building, and the centre building be now built. This portion alone will form an edifice, complete in all its parts,

proportionate to its scale, and in reference to its interior arrangements.

The Committee conceive that the following advantages are obtained, and objects effected, by the plan of building above described.

The centre building will contain the several very important accommodations above described ; and from its two principal floors, and stairs, command a view of the corridors, and the octagonal inspection buildings at the angles of the wings, thus effecting a complete supervision of patients, and keepers, and servants, the whole length of the edifice, in each direction.

The octagonal buildings at the angles of the wings will form the principal station of the immediate keepers of the patients, and from the inspection lobbies and stairs, command a view of the corridors each way ; and through the doors and windows of the day-rooms, also command a view of the airing-grounds allotted to the patients.

It is desirable to divide each sex into four classes. When the whole plan shall be built up, two wings will be devoted to each sex, thus furnishing a floor of a wing to each of the four required classes. But with only one half built, four classes may be formed and kept very much separated by doors across the corridors.

Two day-rooms are connected with the range of wards on each floor, large enough for the comfort of from 20 to 25 patients.

The airing grounds are all thrown on the outside of the building, leaving the hollow open square formed by the edifice, to the west, for the purposes of the establishment, other than the treatment of patients.

The wards, day-rooms, and airing grounds, of each class may be separated from every other, and those devoted to each class, connected together by distinct communications.

The whole establishment, though very large, will be

very compact, and all its parts within convenient distances of each other.

The number of square feet of outside wall, which would be contained in the wings on the plan before adopted by the Common Council, would be about 72,500, and accommodate 160 patients. The number of square feet in the two wings of the building above described, will be about 29,200, and accommodate about 140 patients. And it is believed by the Committee that with its enlarged centre building, and octagonal building at the angle, the now proposed building will not cost more than the other. The number of square feet of outside wall in the whole edifice will be only about two thirds of the number in the former plan, and accommodate as many patients.

And lastly, the proposed building will, in the opinion of the Committee, be easy in its proportions, and be capable of being made creditable to the city in its architectural characteristics. Placed as it will be, on the north end of Blackwell's Island, on one of the grand highways of approach to this city, it will be the first object of a public character which will strike the eye of the approaching stranger. It ought therefore, at the same time, it will stand a monument of the munificent benevolence of this metropolis to the poor and distressed, be creditable to the taste and liberality of the people, and of the age.

The drawings which the Committee have the honor of submitting to the Common Council accompanying this report, are properly the "*architects study*" of the edifice. They show the general outline and plan of the proposed Building and fully develop the governing principles of its construction and arrangements, and laying out of the grounds, but do not pretend to any minuteness of detail beyond what is necessary to develop those principles; a difference in the few details given will appear in different parts of the drawings. It will be apparent that the particular plan of any one wing, will be appropriated to all



the others, yet in the drawings of the four wings given, as many differences in these details are shown, and they are so shewn as matters of study, to be settled by those who shall be charged with the ordering and overseeing of the building of the edifice, as upon the most mature reflection they shall determine. Should the general plan of the edifice as proposed, meet with the approbation of the Common Council, the Committee will proceed with all diligence, to settle the details more fully, and cause the necessary and proper working drawing to be prepared.

The Committee would feel guilty of an act of injustice to themselves, and especially so to Doctors MacDonald of the Bloomingdale Asylum, and Ogden of the Bellvue Hospital, if they failed to express in this report, their great obligations to these gentlemen for the very efficient aid they have afforded to the Committee on the subject of this report. They have both of them with the greatest readiness attended meetings of this Committee, affording the advice their experience in the treatment of insane, and their studies and their travels abroad have most amply qualified them to give; and have also been constant in the attendance upon the architect, yielding him their counsel in his department of the labor. To those gentlemen, and particularly the former, who has made the treatment of the insane, the particular object of his professional study and practice; the Committee are indebted for the characteristic features of the proposed plan of Building, and no part of it has been adopted, or is here recommended that has not either originated with, or been approved of by them.

The Committee further report that they have submitted the proposed plan for the Asylum to the Commissioners of the Alms House, and consulted them in reference to it; and they unite with this Committee in recommending its approval and adoption by the Common Council. The Committee therefore most respectfully submit the following Resolutions for the consideration of the Boards.



*Resolved*, That the general plan of an edifice for a Lunatic Asylum to be erected on Blackwell's Island, described in the foregoing report, and accompanying drawings be and the same is hereby approved.

*Resolved*, That a Building upon said general plan, with such particular exterior and interior details, arrangements and conveniences as are expedient, or are required for the comfort and treatment of insane patients, be erected in the place and stead of one on the plan heretofore adopted by the Common Council.

*Resolved*, That the Commissioners of the Alms House under the supervision of the Joint Special Committee on Blackwell's Island and the Long Island Farms, proceed to the erection of the centre building, one of the front wings, one of the east and west wings, and the octagonal, inspection building at the angle formed by said wings.

Most respectfully submitted,

JOHN J. LABAGH.

JOSEPH TUCKER.

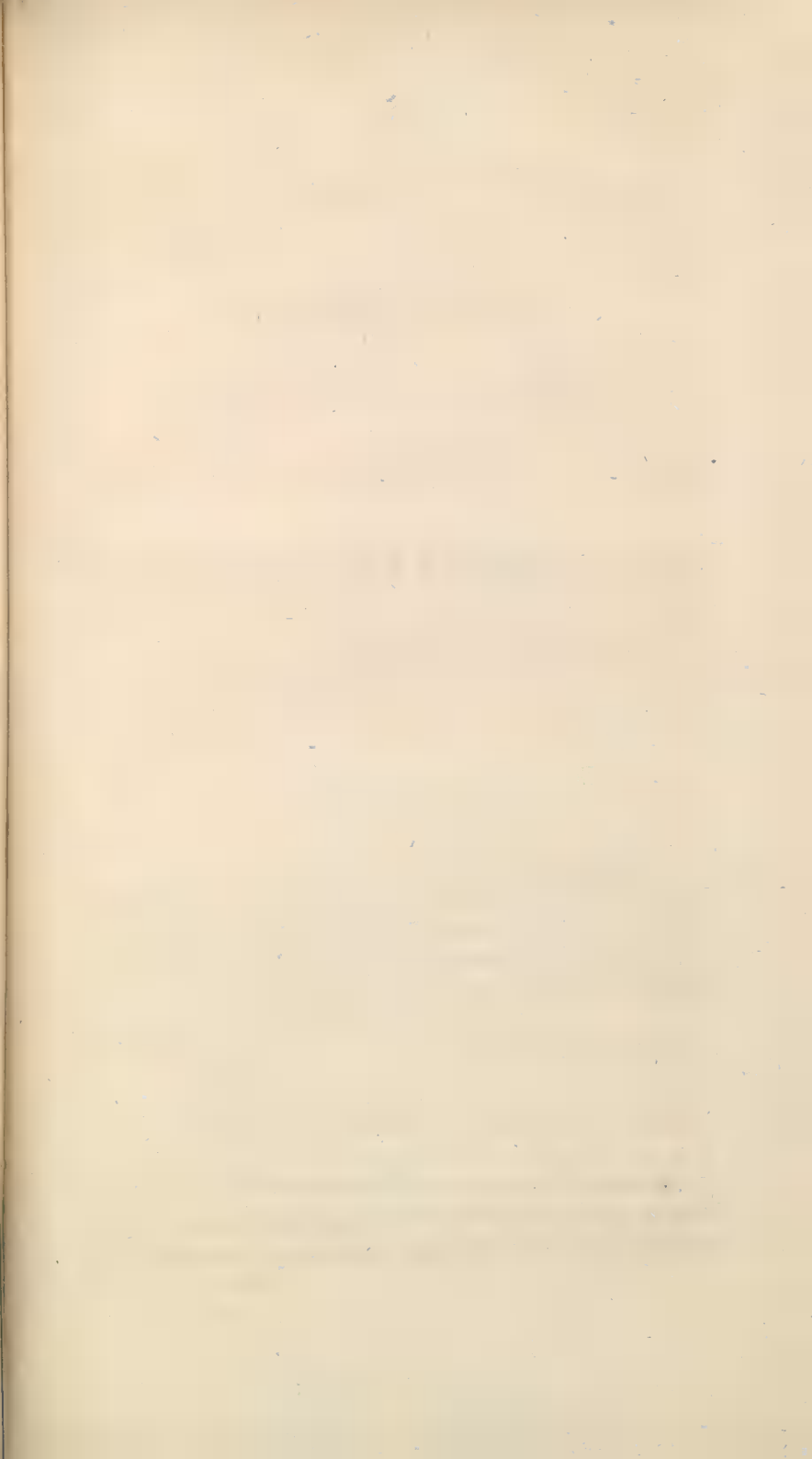
ROBERT C. CORNELL.

ROBERT SMITH.

SAMUEL PURDY.

WM. SAM'L. JOHNSON.







**DOCUMENT NO. 39.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**OCTOBER 15, 1834.**

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Report in part of the Street Committee of the Board of Assistants on the subject of widening of William Street from Wall Street to Pearl Street, and extending it from Frankfort Street to Chatham Street. Report and Resolutions No. 1 and 2, adopted.

**R. FISHER, Clerk.**

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The Street Committee of the Board of Assistants, to whom was referred back their report of the 6th of August last, on the subject of widening William Street with direc-

tions to enquire into the expediency of widening William Street to a width not less than forty-five feet from Wall Street to Maiden Lane, and from thence to Frankfort Street to a width of sixty-feet or some other width not less than fifty-feet; and the extending thereof, of such a width through to Chatham Street; and to whom was also referred the Petition of Allison Post, and others, on the same subject—

### RESPECTFULLY REPORT IN PART:

That they have taken much pains to call the attention of those persons interested in the suggested improvement, to the subject referred to this Committee, and to ascertain their opinions thereon; and with a view to elicit a full discussion and investigation of the subject, have caused the above mentioned Report and Petition to be extensively circulated, and by advertising in the public papers, and by special notices, called attention to a meeting of the Committee to hear the subject discussed. That the Committee have held a long and patient hearing of the question, and have elicited to a considerable extent, the views and opinions of the parties interested, but as yet have not formed an opinion as to what recommendation they ought to make to the Common Council. They however have ascertained the fact, that great difference of opinion exists as to the cost of the proposed improvement; and also to the benefits to property on the street and in the neighborhood which may arise therefrom. And that the opinions of many persons as to the propriety of the adoption of the proposed measure will depend upon the comparative cost of, and benefits which will be conferred by it in a pecuniary point of view. This will also very much affect the conclusions to which this Committee may arrive, and the measures they may propose for the consideration of the Common Council. They are therefore desirous of being furnished with an estimate of the damages likely to be as-



sessed in case the improvements be made, for land and buildings which will be taken for the street, and also the value of the benefits likely to be conferred on real property on the *line of the street*, and also an estimate of the cost of grading the street anew and reduce its surface nearer to a level.

The Committee embrace this opportunity most respectfully to suggest, that the Street Committees very often meet with embarrassment, in forming opinions on proposed improvements of the streets from want of proper maps and estimates of the benefits and damages to arise therefrom; and that their labors would be much lessened if they should be furnished therewith, when they first take up the subject referred to them. And it seems to this Committee, that it would be but reasonable in the Common Council to require of the petitioners that they furnish such maps and estimates before the subjects be considered or referred to a Committee of either Board. These improvements are mostly sought for private benefit, and it is proper that the preliminary expenses of the investigation of the propriety of granting the prayers of the Petitioners, should be borne by them. Such a rule the Committee have been told has prevailed, but if so (and the Clerk of the Common Council can find no such Rule, it has expired by lapse of time under the limitation of the Charter, and its benefits like many other good resolutions and laws are thus lost to succeeding Boards.)

The Committee are not informed of any instance in which a preliminary estimate of damages and benefits such as is above proposed, has been made under the authority of the Common Council, except one which was made in November 1833, (Document No. 39,) on the proposed widening of Nassau Street, and one in April 1834, on the widening of Fulton Street, (Document 108.) One of which appears to have been made on the authority

of the Committee alone, and the other on a vote of one Board only, both of which seem to this Committee to be irregular, as they involve expenditure of money. But even if the Common Council should be of opinion that as a general rule, the parties applying should furnish the maps and estimates as above suggested, still this Committee are of opinion that this proposed improvement and extension of William Street, affords the City at large so much, and so partakes of the character of a great public improvement,—the creation of a great avenue or thoroughfare connecting with three great sections of the City—that might with propriety be made an exception to the general rule. They recommend therefore the adoption of the following Resolutions: And annexed thereto a communication from the Deputy Clerk of the Common Council, and another from the Street Commissioner addressed to the Chairman and relating to this subject.

*Resolved*, That the Street Committee of the Board of Assistants together with the Street Commissioner be, and hereby are authorised to obtain an estimate of the damages and benefits that may accrue to real property on the lines of William Street, by widening that Street to a width of 45 feet from Wall Street to Maiden Lane, and to a width of 50 feet, and also to a width of 60 from Maiden Lane to Pearl Street, and extending William Street of the like width, straight through from Frankfort Street to Chatham Street according to the suggestions contained in the Report of said Street Committee in their Report on that subject, (being printed Document No. 17, of the Board of Assistants.)

*Resolved*, That the said Committee and the Street Commissioner select and appoint not exceeding three discreet persons to make such estimate, and that the Comptroller pay the expenses thereof on the certificate of the

Street Commissioner, to an amount not exceeding one hundred dollars.

WM. SAM'L JOHNSON,	} Street Commit- tee.
ROBERT SMITH,	
SAMUEL PURDY,	

*New-York, October 15, 1834.*

STREET COMMISSIONER'S OFFICE, }  
October 15th, 1834. }

SIR,

In accordance with your request I herewith furnish two instances where estimates have been made of the value of property to be taken, and the probable benefit derived in proposed improvements of Streets, for the use of the Street Committee; and also the expense of making each estimate, viz: the proposed widening of Nassau Street and of Fulton Street.

The expense of making the estimate for the first mentioned widening was \$72 00, and for the latter \$60 00.

The Committee in both cases instructed the Street Commissioner to employ three suitable persons to make the above mentioned estimates.

Respectfully yours, &c.

GEO. B. SMITH.

Per J. S. Warner, *Clerk*.

To WM. SAM'L JOHNSON, Esq.,  
Chairman of the Street Committee,  
Board of Assistants.

**EXTRACT.**

BOARD OF ASSISTANTS, }  
March 24, 1834. }

Report of the Street Committee recommending a concurrence with the Board of Aldermen on the widening of Fulton Street from Broadway to Ryder's Alley. Referred back to the Committee on Streets, who are authorised to employ Commissioners of estimate, &c. to ascertain the amount to be paid by the Corporation.

The appointment of Commissioners in the case of Nassau Street must have been upon the mere volition of the Committee, without any order of the Board of Assistants, as their minutes are silent on the subject.

There is no rule for the appointment of Commissioners in the preliminary steps for an improvement in Streets.

Very respectfully,

D. D. WILLIAMSON.

WM. SAM'L JOHNSON, Esq.





**DOCUMENT NO. 40.**

**BOARD OF  
ASSISTANT ALDERMEN,**

**JANUARY 26, 1835.**

*Mr. Johnson from the Special Committee on the House of Detention, presented the following Instructions to Architects, in reference to the new public building proposed to be erected by the Corporation of the City of New-York, to comprise rooms for the Court of Sessions, Police and Watch, and Prisons for Criminals and Debtors, which was ordered to be printed and filed.*

**R. FISHER, Clerk**

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The Common Council of the City of New-York have passed the following resolutions, viz :

*Resolved*, That a House of Detention for the confinement of prisoners before trial, ought to be erected. That such House of Detention ought to be built with reference to a minute classification of prisoners—if not of the separate confinement of each individual ; and particularly to a separation of the sexes from each other, and of vagrants from criminals, and of confined witnesses, apprentices and others, charged with no misdemeanors, from both vagrants and criminals ; and that it ought to be situated near to the principal Police Office, and to the Court of Sessions.

*Resolved*, That a new building, or set of buildings, be constructed, comprising a House of Detention, a Debtors' Prison, accommodations for the Court of Sessions, and its appendages, and a Police Office, and its appendages ; and that the House of Detention be designed for the confinement of two hundred

individuals, either separately or divided into appropriate classes. That the Debtors' Prison be designed for the confinement of fifty debtors, and that to each of these prisons one or more airing yards to be connected.

*Resolved*, That such edifice be constructed with regard to such architectural proportions and ornaments as will be appropriate to its dimensions and proposed uses.

*Resolved*, That said edifice be erected on the ground belonging to the Corporation, and now used as a public yard ; bounded by Elm and Centre, Leonard and Franklin streets ; and that the same be and is hereby appropriated for that purpose.

*Resolved*, That a Committee of three from each Board be raised, and that such Committee be charged with the preparation of plans, specifications and details of the proposed building; and that they submit the same, as early as possible, to the Common Council, for their consideration and further instructions.

*Resolved*, That said Committee be and hereby are authorized to offer, by advertisement, a premium of five hundred dollars, to be awarded to the author of such plan of the proposed building as shall be furnished to and accepted by the Committee ; but if the Committee shall not accept of the entire of any one plan, but shall accept of parts of different plans, then they shall apportion such premium amongst the competitors, proportionably to their accepted work, and according to the judgment of the Committee ; and that the Comptroller pay the same upon the requisition of the Committee.

The following gentlemen are appointed on the Committee : Aldermen Bolton, Wales, Cornell—Assistant Aldermen Johnson, Delamater, Suydam.

#### GROUND.

The land appropriated for the site of the building is 200 feet 2 inches on Elm street, 200 feet 5 inches on Centre street, 253 feet 3 inches on Leonard street, and 233 feet 3 inches on Franklin street ; Elm and Centre streets run northeast and

southwest, and will form the fronts—Elm street being the principal front ; Leonard and Franklin streets will be flank streets.

Elm street is 60 feet wide, 413 feet easterly of Broadway, and 17 feet below its graduation.

Centre street is 60 feet wide, lies easterly of Elm street, and has a large sewer in it, into which the wash of the building may be drained.

The site is made land, from deep water ; water is now found at the depth of 8 feet below the level of Elm street. The graduation of the site may at some future day be raised, say 2 feet on Elm street, and reference must be had in the designs to such alteration of surface.

### COURT ROOM, &c.

The Court of Sessions tries all offences, from petty misdemeanors up to felonies not capital. It is usually attended by a large concourse of rogues and vagabonds, many of them filthy and diseased. The accused are often in the like condition. Thorough Ventilation is therefore particularly required in this Court Room.

Let the room be not less than 40 feet by 50 feet, and the height of two stories, or 22 feet. It may have a Dome. Regard must be had in its proportions, to their adaptation to a place of public speaking.

*Two Jury Rooms* of not less than 15 feet by 13 feet, must be convenient to the Court Room.

*A Grand Jury Room*, say 24 feet by 24 feet. It is not important, that this room be contiguous to the Court room. It is of more consequence, that it be convenient to the Police Office, as the Magistrates and Police Officers, have often to attend the Grand Jury.

*Four Rooms for Witnesses*, and complainants attending on the Grand Jury, viz : for the different sexes, and for whites and blacks, from 12 to 16 ft. square.

*An Office for the Recorder*, (who is the chief Judge of this Court). His chamber business with the bar is large, and the

business is done in this office. Let it be not less than 24 feet by 24 feet, and with it connected a *smaller private office*.

It is desirable that this office communicate with the Bench in the Court room, by a passage not common to those attending the Court; but the passage may, without inconvenience, be common to the Juries and attendants on the Grand Jury.

*Clerk's Office.* The records and files of this Court extend back more than one hundred years, and occupy much space; a room with good light, for these records, &c., opening into a business office, would be useful. The business office may be 20 feet by 18 feet. This should be convenient to the court room.

*District Attorney's (Public Prosecutor's) Office.* An *Anti-room* of about 20 feet by 15 feet, into which a *Counsel room* of about 14 feet by 12 feet, shall open. These three last offices should be of convenient access to the public. The Clerk's business office may be made the anti-room to both the Record office and Counsel room.

#### POLICE OFFICE, &c. connected therewith.

A suite of rooms is required in this department as follows:

A *common and ordinary Court Room*, for the transaction of the ordinary run of business. The present office is 41 feet 11 inches, by 19 feet 10 inches, which is larger than necessary—say about 30 by 20 feet, will be large enough.

A *Private Court Room*, in which to try cases of bastardy and other causes of a delicate nature. The present private court room is 27 feet by 19 feet 10 inches—say 22 by 16 feet.

These two rooms in the present office communicate by folding doors, the bench is at the end of the rooms, and extends the entire width of both rooms. The partition between the two rooms extends over only half the width of the platform of the bench, and is a convenient arrangement.

Two *private offices for the Magistrates*, in which to conduct private examinations; one, say 20 feet by 20 feet, and the other smaller. These should be of convenient access from the

bench, and have a communication with the street, distinct from that of the Common Court Room.

Two classes of officers attend the Police Magistrates, namely the High Constable, and most active officers, skilful in investigating felonies and arresting rogues. The other class is composed of the officers who attend to the ordinary run of business of the office.

*The office of the High Constable*, and his class of officers should be contiguous to the magistrates' private offices, or examining rooms.

*The other*, at the other extreme of the suite, and contiguous to the Common Court Room.

Stolen goods recovered by the police, remain in charge of the officers, until they are identified. *A large store room*, of not less than 26 feet by 20 feet, is needed for this purpose, as the officers' store room. After they are identified, the goods go into the possession of the *Clerk* of the Police, until trial of the offender—and he is held responsible for them to the owner. He must, therefore, *have a store room*; but it may be smaller than the other, say 20 feet by 15 feet. It would be convenient to have these store rooms contiguous. They must be very strong.

*An Entrance Hall* to the Police Office is desirable, where complainants and witnesses may remain until called for by the magistrates.

### WATCH HOUSE.

*An Office* for the Captains and Assistants on duty, of, say 20 feet by 14 feet, and to open into the dormitory by two openings.

*A Dormitory*, for the one half of the watch of the night, to wit: for those who are on relief, say, for sixty men, about 80 feet by 42 feet.

The Watch of the district is divided into two companies, which perform duty on alternate nights, each of these companies should have a *Store Room*, for its caps, coats, and clubs, say 20 feet by 20 feet.

*A Common Store Room*, for extra furniture of the Watch, say 18 feet by 18 feet.



*Single Cells*, for, say 20 men each, 9 feet by 4 feet, and *two other rooms*, each 16 feet by 16 feet.

The Police and Watch may use the same cells.

## CRIMINAL PRISON OR HOUSE OF DETENTION.

This portion of the building must be designed for the confinement of 200 persons of both sexes and different colors.

The prisoners are divided into three classes, namely: first, persons awaiting their examinations by the Magistrates of Police, on charges of misdemeanors or crimes, or under examination; and such examinations are often extended from time to time to a week or more, before the Magistrates become satisfied of the prisoner's innocence or guilt. Secondly, those examined and committed for trial. Thirdly, "Vagrants, not notorious offenders," alias, idlers, beggars, drunkards, persons having no homes, &c. &c. &c.

The Watch furnish the prison with a large portion of the 1st and 3d classes, and the Police Magistrates, examine and dispose of them, either by committing or discharging them. The *cells* intended for these classes should therefore be convenient for both the Watch and Police Magistrates.

The building must furnish separate cells *for at least 160 persons*. They are intended for all persons of the 1st and 2d classes.

Two rooms are wanted which will contain four persons each, and convenient to the police office.

Four *vagrant rooms* are desired, viz: one for white males, one for black males, one for white females, one for black females, to contain from four to six persons each. These rooms are intended for those who come in drunk, filthy, and with vermin, there to remain until cleansed.

The cells must all be 11 feet from floor to ceiling, (except such as may be made in the basement for places of punishment;) be thoroughly ventilated, well lighted, and warmed, and of an area not less than 11 feet by 5 feet, and not to exceed 11 feet by 7 feet. The cells may be carried to three or four tier or stories in height, if desired.



The lower or *basement floor* of the building must not be laid more than two feet below the present surface, or curb stones, of Elm street. The surface of this portion of the city, it is supposed, may be raised two feet on Elm street.

Let the cells of the 2d class be so contiguous to the Court Room, that the prisoner need not be taken thence to the Court Room until his trial begins. It is desired that the prisoner be no more exposed to the gaze of the public, than is absolutely necessary.

Most of the prisoners are arrested in a most filthy state and must be made clean, therefore, let there be a

### BATHING HOUSE.

With several rooms, if the ground will allow it. It is desirable, that means be furnished to wash one half, at least, of the prisoners daily, and enable them to wash their own clothes, &c.

Hot and cold water to be used.

### DEBTORS' PRISON.

This portion of the building must be designed for the confinement of fifty men. Females are not subject to imprisonment for debt in New-York, except founded on fraud.

Separate *Dormitories* will be preferred of 11 feet by 6½ feet each.

A *Dining Room* for the prisoners, of sufficient size.

The prisoners should have free access to a secure Yard, at all seasonable hours, and if convenient, give them a promenade on the roof.

It is not unlikely that this portion of the house will in a few years, be required for criminals, and that should be kept in view in this part of the building.

### COOK HOUSE, BAKERY, WASH HOUSE OR LAUNDRY.

It is desirable if possible, that a Cooking House, &c. should be separate from the other buildings, so that the tenants be not incommoded by, or the air impregnated with, kitchen fumes.

The work of the prisons, for the whole house, in cooking, washing, baking, cleansing, &c. will be performed by paupers and vagrants ; accommodations for their sleeping, must be furnished, and their security against escape, provided for.

### MISCELLANEOUS REMARKS.

No special provision need be made for Apprentices. A few only are annually confined in prison, and then after an adjudication of a Magistrate, and as a punishment—the cells for the 2nd class, will be proper for them.

The like as to witnesses—the accommodations for debtors will suit well for witnesses.

*Airing grounds* or yards, for the use of either criminals or apprentices, are not deemed necessary, and will be of use only for the better ventilation of the cells, &c. One is needed for the debtors,

The Public Reservoir, can throw water to the top of the building.

The building\* will be made of stone.

The principal Jailer, will not reside in the building, but he must have an *Office* there, and dormitories for turnkeys, (single men.)

The Sheriff, as keeper of the debtors, must have an office separate from the criminal department.

Rooms for a keeper of the building are wanted.

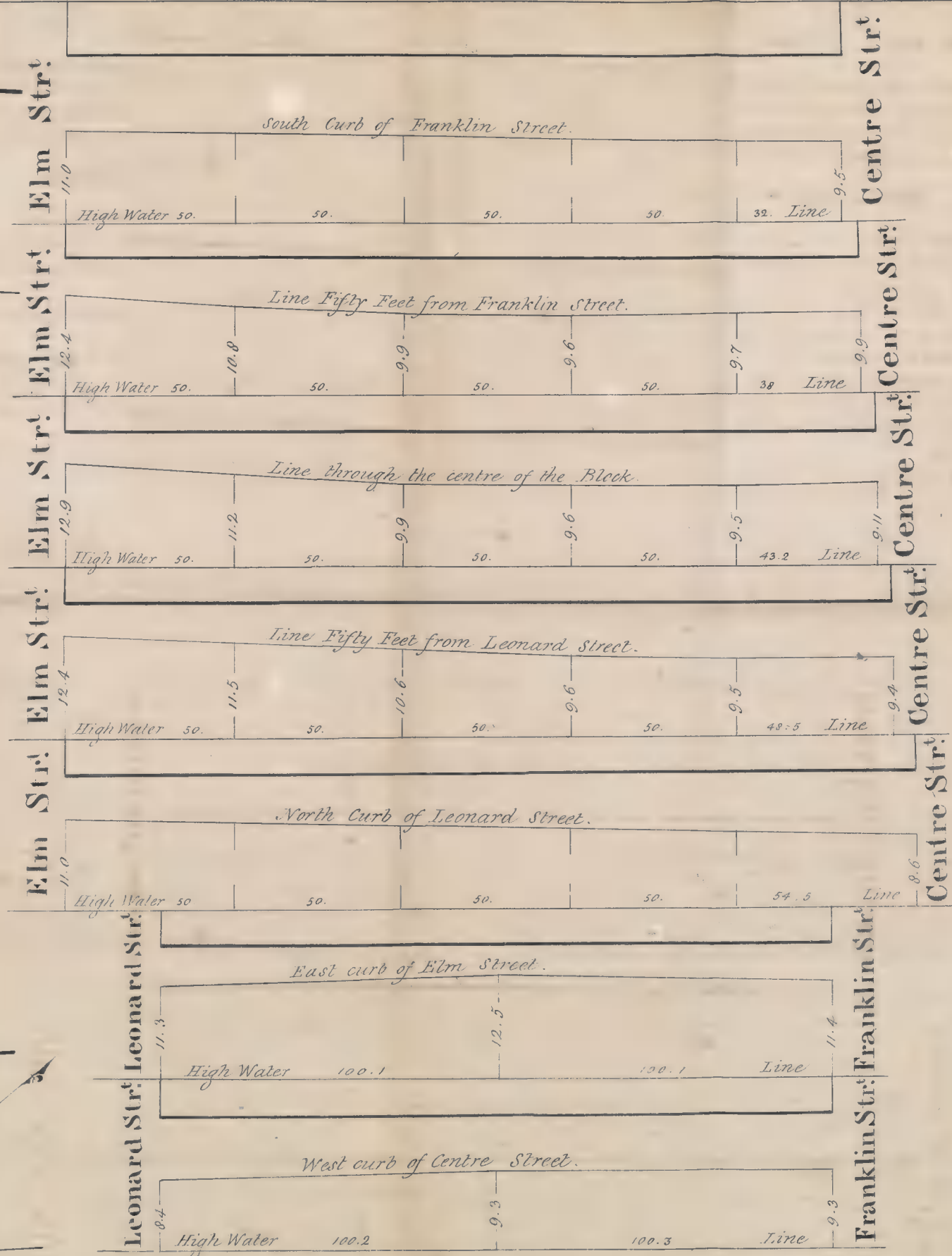
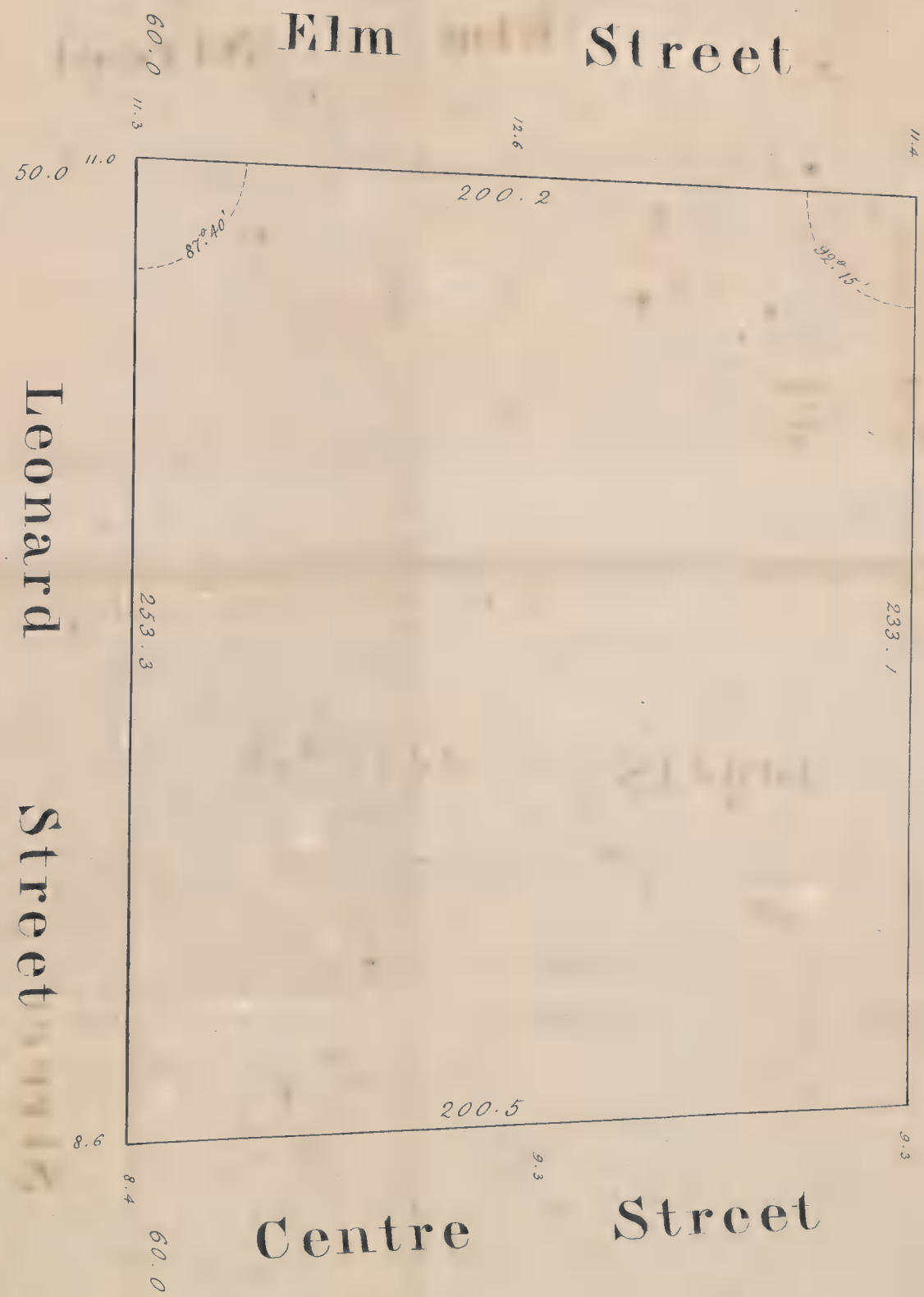
All proposed designs must be furnished to the Committee by the 14th day of February next.

WM. SAML. JOHNSON,  
JOHN DELAMATER,  
LAMBERT SUYDAM,  
JOHN BOLTON,  
WM. C. WALES,  
ROBT. C. CORNELL,

} *Joint Com-  
mittee.*

New-York, January, 26, 1835.











**DOCUMENT NO. 41.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**JANUARY 26, 1835.**

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Annual Report of the Eastern Dispensary to 31st De-  
cember 1834. Laid on the Table, and ordered to be

the sick poor in that part of the City. Accordingly, in the winter of 1832, an application was made to the Legislature of the State, for an act of incorporation, which was granted by the passage of "An Act to Incorporate the Eastern Dispensary of the City of New York, passed April 25th, 1832." Its provisions are nearly the same in substance and in language with the acts establishing the City and the Northern Dispensaries.

In addition to the prevalence of the malignant Cholera of 1832, various other difficulties occurred to prevent the Trustees from organizing an efficient Board until the spring of 1834, when the following persons were elected the Board of Trustees of the Eastern Dispensary for the year following the 7th of April, 1834, viz.—

Immediately after the election in April, measures were taken to carry into effect the benign objects of the Institution. A subscription was commenced, and the Trustees were thereupon encouraged to proceed in hiring a house, purchasing medicines and fixtures, appointing physicians, engaging an apothecary, and in taking every other necessary step to put the Institution into operation. Previous to this, however, a division line was amicably arranged between the operations of this and the City Dispensary, the Trustees of which yielded all that part of the City lying east of Pike street, Allen street, and the First Avenue as far north as Fourteenth street, to the action of the Eastern Dispensary. This section of the City was divided into six districts, and a physician appointed to each. A physician was also appointed to attend to the vaccine department, and two others to attend exclusively to diseases of the eyes and ears.

Thus prepared to dispense the benefits of the charity, the Institution was opened at 420 Grand street, on the 15th day of June, 1834, and has been manifestly useful to the sick poor, who have sought and found relief from their sufferings. From the 15th of June to the 31st of December, 1834, a period of six months and a half, there have been attended by the physicians of the Eastern Dispensary 3011 patients. One hundred and seventy-four children have also been vaccinated, making a grand total of 3185, who have received the benefit of this charity.

Of the patients attended by the physicians there

were males	-	-	-	-	1218
do	do	do	females	-	1793
					<hr/>
					3011

Of the males there were attended and prescribed

for at the Dispensary	-	-	877
do	do	at their houses	341

Of the females	do	at the Dispensary	1320
do	do	at their houses	473

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Total number of sick	-	3011
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Children vaccinated	-	174
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Total number of sick, and persons vaccinated	3185
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The places of nativity of these patients are designated by the following tabular view, viz :—

	Males	Females	Total
Born in State of New York	361	577	938
do other parts of the U. S.	55	117	172
do Ireland -	506	770	1276
do England -	55	61	116
do Scotland -	8	13	21
do Wales -	4	7	11
do British Colonies	10	17	27
do Germany -	22	8	30
do Holland -	3	1	4
do other parts of Europe	7	8	15
do at Sea -	1	0	1
do East Indies -	1	0	1
do West Indies -	3	0	3
Birth-place unknown -			396
			<hr/> 3011

The expenses incurred have thus far been very moderate, considering the number of patients attended, and the extensive usefulness of the Institution. The total amount received by the Treasurer is \$698 00, of which \$365 87 have been expended, leaving a balance in his hands, on the 17th day of January, 1835, of \$332 13. This balance, however, will be absorbed by a bill of medicines now due, and when paid it will leave the Treasurer without funds, making it necessary for the Trustees to exert themselves to supply the means to continue the operations of the Dispensary.

The Trustees are much indebted to the Attending Phy-

sicians, who perform their duties without compensation. As these duties increase and become more laborious, it may hereafter be necessary to make some remuneration for their services. The following gentlemen are now the Attending Physicians of the Eastern Dispensary :—

1st District,	-	C. F. Manchester, M. D.
2d do.	-	Stephen Wood, M. D.
3d do.	-	D. D. Marvin, M. D.
4th do.	-	H. Halstead, M. D.
5th do.	-	Elias T. Pentz, M. D.
6th do.	-	W. S. Cooper, M. D.
For diseases of the	}	Samuel R. Childs, M. D.
Eye and Ear,		Mark Stephenson, M. D.
Vaccine Department		Vacant.
Assistant Physician,		Charles A. Porter, M. D.

During the summer of 1834, when this City was visited a second time by the Malignant Cholera, and when bowel complaints were very prevalent, the duties of the physicians of this Institution were very arduous, from the numerous and hasty calls upon their attention ; and yet it is but justice to say, that they were performed with alacrity, and that comparatively very few deaths occurred among their patients.

In presenting the foregoing statements to their fellow-citizens, the Trustees of the Eastern Dispensary take the opportunity of appealing to the inhabitants in general, and to those of the eastern part of the City in particular, to sustain an Institution calculated to do much good to those who, in addition to poverty, are afflicted with sickness.

Respectfully submitted, by order of the Board,

SAMUEL AKERLY, *President.*

JAMES J. RING, *Secretary.*

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THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

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PHILOSOPHY DEPARTMENT

PHILOSOPHY 101



## **DOCUMENT NO. 42.**

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# **BOARD OF ASSISTANT ALDERMEN**

**FEBRUARY 4th, 1835.**

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Report of the Special Committee of both Boards, in respect to the New-York and Erie Rail Road,—adopted and double the usual number of the report ordered to be printed, together with one hundred of the map, which accompanied it. Presented by Wm. Saml. Johnson.

**R. FISHER, Clerk.**

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Resolution relative to the measures proper to be adopted by the City of New-York to promote the construction of the New-York and Erie Rail Road :—

Whereas the immense augmentation which has been experienced in the extent, wealth and prosperity of the city of New-York, since the completion of the Canals of this state, signally demonstrates the value and necessity of artificial channels of commercial communication, connecting the metropolis with the populous and fertile regions of the interior :—

And whereas several rival works leading into the state of Ohio, from ports on the Atlantic sea board south of this city, are now constructing and are rapidly advancing to

completion under the direction of various companies incorporated, and powerfully patronized by the States of Pennsylvania, Maryland and Virginia, seeking to divert from the city of New-York, the extensive and lucrative commerce which it has heretofore enjoyed with the rich and rapidly increasing States and Territories north of the Ohio river, and relying for success upon the greater severity of climate, experienced in the more northerly latitude of the state of New-York, whereby the navigation of its Canals is suspended during a large portion of the year: and whereas it has become vitally important to the commerce of this metropolis, to obviate the difficulties and disadvantages to which it is thus subjected, which object can only be attained by constructing additional channels of trade and intercourse by means of Rail Roads leading directly from the city to the western waters, and available for commercial purposes at all seasons of the year :—

And whereas the Legislature of this State at their last session, directed the route of a Rail Road to be surveyed under the direction of the Executive, through the southern counties of the State from the Hudson river to Lake Erie, for the purpose of ascertaining whether the public interest would be promoted by a subscription on the part of the state to a portion of the capital stock of the New-York and Erie Rail Road Company, (which was incorporated in the year 1832, for the purpose of constructing such road,) whereby the Commonwealth at large might participate in the burthens and benefits of that undertaking, or in what other mode the general objects sought to be accomplished by that act of incorporation, might properly be encouraged by the public authorities :—

And whereas it is now satisfactorily ascertained by means of that survey, that in case the state shall co-operate and participate in the enterprize, the whole of the road in question can be completed within four years from the first day of May 1835, and a communication thereby

provided, by which passengers and merchandize may be regularly transported at all seasons of the year, in less than forty hours from the city of New-York to the southern shore of Lake Erie, communicating also by means of the Alleghany river directly with the valley of the Ohio:—

And whereas the inhabitants of this city are deeply interested in the prosecution and speedy accomplishment of this most important undertaking, tending as it plainly must, to attract and secure forever to this emporium the vast and expanding trade of the most fertile, valuable and populous portion of the continent, thereby augmenting its commerce, prosperity and wealth to an incalculable extent :—

Therefore Resolved, (if the Board of Aldermen concur herewith,) that it be referred to a Joint Committee of three members of each Board to report resolutions signifying the sense, which the Common Council entertain of the necessity, importance and value of the proposed work, and to inquire and report what measures, if any, the city may properly adopt to promote and secure its speedy execution.

The Special Committee from the Board of Aldermen and Assistant Aldermen of the City of New-York, to whom were referred the Resolution of Assistant Alderman Johnson, touching the necessity, importance and value of the proposed rail road through the southern counties of this State, from the Hudson River to Lake Erie, respectfully beg leave hereby to

### REPORT :

That for the purpose of being more fully informed of the details of the subject thus referred to their consideration, they have summoned before them several of the Directors of the New-York and Erie Rail-Road Company, incorporated in the year 1832, for the purpose of constructing the proposed road, and have also been attended at their request by Benjamin Wright, Esquire, and his assistant engineers, under whose care the route of the road has been recently surveyed. From these individuals the Committee received very full and satisfactory explanations, and nevertheless the Committee being conscious of the momentous importance of the subject under examination, felt it also to be their duty to satisfy themselves, as far as was practicable, from auxiliary sources of information, of the accuracy of the details which were elicited on this interesting examination. It fortunately happened that one of the Committee, by having been engaged for a considerable time in a work of public improvement intersected by the route of the proposed road, had become considerably familiar with the topography and also with the trade and resources of that portion of the country, and was thereby enabled greatly to facilitate the examinations of the Committee.



The Committee moreover deemed it proper that they should make no statements affecting a subject so deeply interesting to the community at large, without a full and sufficient scrutiny, and they have therefore pursued their examination with a minuteness of inquiry which has brought them into acquaintance with many details interesting, which they may deem it expedient hereafter to make the subject of a supplemental report.

In the mean time they beg leave to present to the Common Council the present summary statement of the facts which have been ascertained by their examination.

In the first place, then, they report, that after full inspection of the maps and plans returned by Judge Wright, and copious explanations from himself and his assistants, they are entirely satisfied that it is practicable to construct the proposed road—and that it will afford the means of transporting passengers, merchandize and the public mails at all seasons of the year, in less than 48 hours from the city of New-York to Lake Erie.

The road after leaving Rockland and Orange counties, will follow successively the large vallies of the Delaware, the Susquehanna and the Allegany, and thereby obtain the easy grades of declivity naturally pursued by those streams. The surface of much of the country adjacent to the line is undulating, but the apparent difficulties which are thereby presented, are avoided by following the water courses.

In the language of Judge Wright, the road “goes *around* instead of *over* the hills.” The whole line of the route is 483 miles, capable however, of being shortened to 469 miles; but it is not comparatively more circuitous than the canals of Pennsylvania. The ascents on much the greatest portion of the route, are generally from 5 to 30 feet per mile, and do not exceed 60 feet per mile, except in five or six instances, where the line crosses the na-

tural boundaries of the large vallies. No stationary engine or inclined plane will be necessary on any part of the road, except in one instance, about four miles from Lake Erie, and even that may be dispensed with by altering the grade for eight miles, at a moderate expense. Locomotive engines, drawing passenger cars, may be propelled over every portion of the road (except the inclined plane) with economy and advantage; and at the points where the rate of acclivity exceeds sixty feet to the mile, the passage of burthen cars heavily loaded may be easily and cheaply expedited, either by auxiliary locomotive engines, or an addition of animal power. It is quite certain that passengers may be carried over the road with great celerity and profit, and from the testimony taken before the Committee, and the personal information of one or more of its members, they are entirely satisfied that the road will also serve to transport to tide water the lumber, provisions, live stock, fuel, and agricultural products of the region of country adjacent to the route and its contemplated branches, and carry back merchandize in return, more cheaply and advantageously than can be effected by any other channel of communication.

The road will be intersected by several lateral branches and canals, which will greatly increase its revenue and its importance. In the western part of Orange county, it intersects the Delaware and Hudson Canal: in Broome county, the Chenango Canal: in Tioga county, the Chemung Canal: in Delaware county, it will be connected with a branch leading up to Delhi: in Otsego county, by a very important and valuable branch leading up the valley of the Unadilla to Utica, for which a charter is obtained and the stock already subscribed; a branch will lead through the valley of the Onondaga River, in the county of Cortland, to the Salt Works at Syracuse: at Owego, the rail road now finished to Ithaca, will immediately connect the main line with the fertile country adjacent to the

Cayuga and Seneca Lakes : by the line of steamboat navigation now in preparation on the Susquehanna at Owego, it will be united to the valley of Wyoming and the coal regions of Pennsylvania : the contemplated rail road from Rochester to Dansville, if extended a few miles, will intersect the main line in Steuben county : in Allegany county it will intersect the contemplated route of the Rochester and Olean canal : and it will become connected in Cattaraugus county with the Allegany River, and thereby open a direct communication between the city of New-York and the large and populous communities and cities in the valley of the Ohio. The map of the proposed route annexed to this report, fully exhibits these several localities, and is well worthy the attention of the Common Council.

2. The Committee are of opinion that this work will afford immense public benefits to the inhabitants of this metropolis.

The rapid, constant and regular communication it will insure at all seasons of the year with the extensive and fertile grazing districts in the counties of Orange and Delaware and the valley of the Susquehanna, will cheapen the price of subsistence, by affording abundant and uninterrupted supplies of provisions for the public markets : the excellent and valuable timber furnished by the counties of Steuben, Allegany and Cattaraugus, by reducing the cost of building, will accelerate the growth of the city, and at the same time facilitate the operations of ship building : the rapid and regular passage it will secure to the public mails, will insure the speedy transmission of commercial intelligence : it will provide for the public defence, by providing the means of military communication with unparalleled speed between the Atlantic and Western frontiers ; while the comfort and health of our citizens will be promoted by obtaining cheap and frequent access to the healthful regions of the interior.

3. The speedy completion of the work has now become an object of transcendant importance to the merchants, traders and land owners of this city, in order to preserve and extend its great and lucrative trade with the West.

The important and alarming truth can no longer escape the attention of our municipal authorities, that the intercourse between this city and the great West, to which it owes so large a share of its present prosperity and power, is totally suspended during five months of the year. Availing themselves of that circumstance, the public spirited citizens of Pennsylvania have constructed and have now recently completed a line of canals and rail roads from Philadelphia to Pittsburgh, which are available for the purposes of trade and intercourse during at least two months of the year in which the navigation of the New-York canals is suspended, by the greater severity of their more northern latitude. The Erie Canal is not usually navigable until the 20th of April, and rarely remains open after the 20th of November. The canals of Pennsylvania, favored by a more southern climate, are generally navigable about the 10th of March, and remain so until the 25th of December. The merchants of Philadelphia are thereby enabled to monopolize the western trade during portions of the spring and autumn, peculiarly valuable for commercial purposes. Even after the navigation is opened on the Erie Canal, the intercourse between New-York and the West is obstructed for a considerable time, by the ice accumulated during the months of March and April in the harbor of Buffalo, while the navigation of the Ohio river being open at Pittsburgh during that important season of the year, the produce of the West finds its way to Philadelphia, and its proceeds are invested in merchandize, and transported into the remotest portions of the interior, before vessels are able to navigate the eastern end of Lake Erie. The intelligent and enterprising merchants of Philadelphia, supported by the united efforts of

their Board of Trade, are striving to follow up this advantage, by promoting, with great zeal, the construction of lateral canals and rail roads by the state of Ohio, and by private companies, extending northwesterly from the Pennsylvania line to the Ohio Canal, for the purpose of effecting a communication between Pittsburgh and the harbor of Cleveland, on Lake Erie; and that too for the avowed object of diverting from the city of New-York the lucrative commerce it has heretofore enjoyed with the northern parts of Ohio, Indiana, Illinois, and Michigan.

There is no mode of successful competition with these efforts of our public spirited rivals, except by opening a winter communication between this city and the harbors on the wider part of Lake Erie.

The proposed road will accomplish that object by affording the means of transmitting merchandize at all seasons of the year within forty eight hours from the warehouses of New-York to the harbors of Dunkirk, Portland or Erie, while its connexion, with the cheap descending navigation of the Allegany River, (which is generally available in the latter part of February, and early in March, and is capable with small expense, of being rendered navigable for steam boats at all seasons of the year,) will enable the merchants of our city to furnish the cities of Pittsburgh, Cincinnati, and the other trading towns in the valley of the Ohio with their spring supplies before the opening of navigation on the Pennsylvania Canals. The speedy completion of this road will moreover encourage and hasten its speedy continuation by great western and southern branches leading from Lake Erie to various points on the western and southwestern waters, whereby passengers, merchandize, and the mail, may be transmitted in six days from New-York to St. Louis: and thus this great central channel of intercourse, lying wholly within the limits of our own state, and subject to its sole jurisdiction, will become the main trunk of a connected system, or series of internal communication



extending from the port of New-York, throughout the populous regions in the vast and fertile valley of the Mississippi.

The statistical particulars of these great lines of western communication, and the important influence they will exert in directing their trade into Lake Erie, and thence to the City of New-York, will be found in an interesting letter furnished to the committee, by one of the directors of the company, which is annexed to this report, and is recommended to the attention of the Common Council as a document of much importance.

4. The preservation of the trade of these great inland districts, by connecting them closely with this city by means of cheap and rapid channels of communication, has become an object of the deepest solicitude to the landholders of New-York, and every person interested in its permanent prosperity.

The past growth, and in truth the very existence of this metropolis, are wholly owing to the facilities of communication it possesses with the agricultural population of the interior. The Erie Canal opened a channel of intercourse during seven months of the year, between the port of New-York and inland districts containing little more than a million of inhabitants, and yet within ten years from its completion, the assessed value of the landed property of the city was augmented from 52 to 114 millions. The completion of the proposed road, will bring into constant connexion with the city of New-York an increased amount of territory, already containing three and destined within six years to number more than six millions of inhabitants; while the impulse imparted to the agricultural prosperity of those inland communities by the facilities afforded to them for cheap and expeditious communication with their trading emporium, will augment to a corresponding extent their capabilities of pursuing a profitable commerce with the sea board.



It has been frequently and by no means extravagantly stated, that the construction of the Erie Canal, by diminishing the time and labor expended in transportation, has saved annually to the citizens of this state not less than \$5,000,000, and added at least \$150,000,000, to their aggregate wealth. This immense and rapid augmentation of value will afford a criterion, although imperfect, by which to estimate some portion of the pecuniary benefits to be derived by the public from the opening of a communication not less cheap, more regular, and far more expeditious than the canal, between this metropolis and a district of fertile territory, embracing an area more than eight times as large as the state of New-York, west of Utica. To calculate with any accuracy the value of the vast and illimitable trade which within twenty years will be concentrated upon the waters of Lake Erie, destined before the present generation shall pass away, to number more than a thousand vessels, and to bear on its surface the wealth of at least twenty millions of the American people, or to compute the prodigious rise in value, which the landed property on the Island of New-York will experience, when the vast and expanding commerce of these great inland communities shall be concentrated within its limits will not be attempted ; but it will be confidently claimed that the increase in the value of the real estate in this city within the first ten years after completing the proposed road, will repay more than tenfold the whole cost of its construction, and that the augmentation in the prosperity and wealth of the immense and populous communities which will be brought by its completion within four days travel of the sea board, will defy all attempts at sober calculation.

5. In what mode, then, can this great enterprise, yielding public advantages thus enormous, be most effectually and speedily accomplished ?

In the year 1832, the standing committee on internal

improvements in the Legislature of this state, after full examination of this and other projects of inland communication, reported that it would not be politic for the state, as such, to construct rail roads; and for the obvious reason, that the owners of the road must manage the transportation, and the state could not become common carriers. But the committee recommended the incorporation of companies, whenever individuals should see fit to risk their property in constructing rail roads, reserving, however, the right, which is reserved in all other acts of incorporation, to repeal or modify the charters. The committee also recommended that the state should subscribe to portions of stock in this and all the other great leading routes, whereby the public at large might participate, to a certain extent, in their pecuniary profits, (if any,) and at the same time secure the economical management resulting from the vigilant attention of individual proprietors.

The annual message of the Governor to the Legislature at the opening of the session in that year, after stating that the construction of rail roads in various parts of the state would "become eminently promotive of the public good," but that "many generations must pass away before the numerous improvements worthy of the enterprise of the state, could be undertaken by the public means alone," recommended that companies of individual proprietors be incorporated with power to construct them, reserving, however, to the Legislature, the right secured in all the recent acts of incorporation, to take possession of the roads or public property, on equitable terms.

The Legislature accordingly, in the year 1832, chartered a company for the purpose of making the proposed road, (subject to the reservations recommended by the Governor,) with leave to issue capital stock to the amount of \$10,000,000, requiring them to expend \$200,000 before April, 1837; to finish one quarter of the work before April, 1842; one half before April, 1847; and the whole

before April, 1852; and authorising them to receive donations of lands to aid in the construction of the work. By an amendment, obtained in 1833, the company were empowered to organize themselves, on receiving subscriptions of stock for one million of dollars. That amount was duly subscribed, and is now holden principally by merchants, land holders, and other inhabitants of this city, deeply interested in its permanent prosperity, and anxious to complete the proposed work with all practicable despatch.

In order to ascertain how far the public interest would be promoted by a subscription to the stock, on the part of the State, the Legislature in May 1824 authorized the route to be surveyed at the public expense. In the mean time the Directors of the Company have been actively employed in making the inquiries and investigations necessary to the prosecution of their object, adopting measures calculated to secure the confidence of capitalists, and obtaining donations towards their work from large proprietors on the route; and they have met with such success and such encouraging assurances that they are confident of being enabled to commence the road during the ensuing season, and they believe that in case the Legislature should authorise a subscription by the State, for a portion of the stock, or a loan of its credit to the company, they can complete a single track of their road over the whole route within five years.

The expense of the whole work, as estimated by Judge Wright, including the graduation for a double track throughout on solid earth embankments, and laying down a single track ready for use from the Hudson River to Lake Erie, will not exceed \$4,762,000. The graduation of more than one half of the line does not exceed \$4000 per mile. The whole route is embraced in six large divisions, to wit:

*The First or Hudson River Division* extending 73½ miles

from a point on the Hudson River, near the southern extremity of Rockland county, (distant 24 miles north of the City Hall of New York,) to a point in the Deer-park Gap of the Shawangunk mountain near the west line of Orange County, dividing the waters of the Hudson from those of the Delaware :—

The *Second*, or *Delaware Division*, extending 115 miles from the point last mentioned, through the valley of the Delaware and its tributaries, to a point near Bettsburgh in Chenango County, dividing the waters of the Delaware from those of the Susquehanna :—

The *Third*, or *Susquehanna Division*, extending from the point last mentioned 163½ miles along the valley of the Susquehanna and its branches, to a point near the west line of Steuben County, dividing the waters of the Susquehanna from those of the Genessee :—

The *Fourth*, or *Genessee Division* extending from the point last mentioned 37 miles across the valley of the Genessee; to a point near the east line of Cattaraugus county, dividing the waters of the Genessee from those of the Alleghany :—

The *Fifth*, or *Alleghany Division* extending from the point last mentioned, 83 miles along the valley of the Alleghany and its tributaries, (situated at the northern extremity of the great valley of the Ohio,) to the head of the inclined plane, near Lake Erie :—

The *Sixth*, or *Lake Erie Division*, comprehending the short and rapid descent to the shore of the lake, including the inclined plane, and two branches of the road, one to the harbor of Dunkirk, 8½ miles, and one to Portland, 2 miles.

6. The execution of this most valuable and necessary work, being thus shown to be free from physical difficulties, and capable of being completed at a moderate expense, the question then arises, of much importance to the public, and one which the Committee deemed it their

duty fully to examine, whether the Company now incorporated, possess sufficient means and resources to complete the road with the energy and despatch which the public interest requires. The Committee, in prosecuting this inquiry, have personally examined the officers, directors, and books of the Company, and from that personal inspection, they have become entirely satisfied that the stock of the Company is held by individuals greatly interested in the permanent prosperity of the city, deeply conscious of the importance of the proposed road, in advancing the general, as well as their individual prosperity, and fully determined to spare no effort to insure its speedy completion. The concerns of the Company are now managed by 17 directors, 14 of whom, to wit: James G. King, the President. Eleazer Lord, the Vice President. Peter G. Stuyvesant, John G. Coster, John Rathbone, junior, Goold Hoyt, Samuel B. Ruggles, J. Green Pearson, Elihu Townsend, Peter Harmony, Stephen Whitney, James Boorman, John Duer, and Michael Burnham, reside in this city, and are well known to their fellow-citizens, and the remaining three, to wit: Jeremiah Pierson, George D. Wickham, and Joshua Whitney, reside in the counties along the route, and equally command the confidence of the inhabitants of that part of the State.

The committee have also satisfied themselves, by personal inspection, that the first instalment required on the million of dollars, heretofore subscribed to the stock, has been regularly paid in cash, and that it is now duly deposited upon interest, with the New-York Life Insurance and Trust Company, subject to the joint order of the President and Vice President of the New-York and Erie Rail Road Company.

It was not necessary, nor would it have been at all prudent or expedient, for the directors to have proceeded in the actual construction of the road, until the route should have been surveyed, and it was also deemed highly desira-



ble, that the survey should be finished, which had been ordered by the state, in order more perfectly to secure and confirm the confidence of the large capitalists, whose co-operation was absolutely necessary in the prosecution of so great an enterprise.

The very favorable results ascertained by Judge Wright, and by his report to the Secretary of State, presented about the first of this month, a copy of which is hereunto subjoined, have entirely confirmed the belief previously entertained, that the work is perfectly feasible, and that it will be profitable not only to the community, but to the stockholders, who may embark their funds in its construction. The committee are assured, that the directors intend forthwith to open books for private subscriptions, for the additional amount of two millions, and that they entertain the most perfect confidence, that by means of the subscriptions already obtained, and the assurances of valuable donations of lands along the route, tendered to them by the inhabitants (all but unanimously) along the whole route, and of their zealous and hearty co-operation, recently and repeatedly, and at all times expressed in their town and county conventions, the company will be enabled to commence the actual execution of the work during the ensuing season, and nearly two years before the time allowed for that purpose, in the charter; and that in case the state shall loan its credit, or subscribe for the stock to an amount not exceeding one third of the cost of the road, the company can complete the whole from the Hudson River to Lake Erie, within five years. And the committee are further satisfied, that even if the state shall decline to extend any aid to the company, and they shall be left to their own unaided resources, they can within two years complete the second or Delaware division of the road, and thereby divert to this city, through the Delaware and Hudson Canal, a large portion of the exports now passing out of this state, down the Susquehanna



River :—and it is moreover confidently believed, that the productiveness of that division, by demonstrating the value of the whole work, will sustain the credit of the stock and enable the directors to extend the road without delay to Lake Erie.

The enquiry then arises as to the mode in which it will be proper and expedient for the Common Council to aid in the accomplishment of a work, affecting so deeply the prosperity of the City and its inhabitants.

Whether the City in its corporate capacity possesses the legal right to make donations of land or money, in aid of this work, or to subscribe its funds to any portion of the stock of the Company, is not necessary now to enquire. It may be well however, to state, that the municipal authorities of the City of Baltimore, deemed it their duty to assist in the construction of the rail road from that city to the Ohio river, by a subscription of \$500,000 to the stock of the company engaged in its construction. The city of Richmond, with a population of less than 20,000 inhabitants, has recently subscribed \$200,000 to the stock of the company, incorporated for the purpose of opening a communication by canals and rail roads, between the Atlantic coast of Virginia and the river Ohio. The Union Canal company of Pennsylvania, has recently been aided by a loan of the credit of that state, for \$200,000, authorized by its Legislature: and the Pottsville and Danville Rail Road Company, incorporated for the purpose of directing to the city of Philadelphia, the trade of the Susquehanna Valley, and claiming through that channel, to divert from the city of New-York, a large part of the trade of the southern counties of this state, has recently obtained from the state of Pennsylvania, a loan of its credit for \$300,000.

In the judgment of the committee, the aid to which the New-York and Erie Rail Road Company, are justly entitled from the public, ought to be rendered directly by the

state. They therefore report, that it will not be expedient for the Common Council at present to aid in the enterprise, except by uniting strongly in the petitions to the Legislature, praying the state to co-operate in the efforts of the company, and thereby signifying the unanimous sense which the municipal authorities of this city entertain of the public importance of the work.

The city possessing one third of the taxable property of the state, is consequently interested to that extent, in the pecuniary consequences of any subscription by the state at large; and will accordingly gain or lose to that extent, by the profit or loss, to result from the investment in that mode of the public funds. The committee, however do not believe, that the state can sustain any pecuniary loss by such subscription, inasmuch, as they deem it almost positively certain, that the road when completed, will produce an annual revenue fully equal to the interest on its cost.

The road will cost when fully completed, much less than the Erie Canal, and in many respects, will be far more useful to the public, and consequently will be capable of yielding a much greater revenue.

The fact that it will be open and available, and earning income during the long interval of five months, in which the Erie canal is closed; that it will afford facilities for the expeditious transportation of passengers and the public mails, not possessed by the canals; that it will be connected by its lateral branches, and the numerous rivers and canals, which it will intersect, with the most fertile and populous parts of the State, and with an extensive district in Pennsylvania and in New York, abounding in natural resources, and capable of rapid advancement in population, prosperity and wealth; and, above all, the fact that it will open the most direct and central avenue of trade and intercourse between the Atlantic seaboard and the immense and expanding communities adjacent to the

great Lakes and waters, and internal communications of the west, will assuredly justify the most confident expectation that the business of the road will yield an income fully equivalent to the interest on its cost, and the risk assumed in its construction; and that the public-spirited individuals who may subscribe to the stock (including the State to the full extent to which it may participate) will advance their pecuniary interest, while at the same time they will promote to an incalculable extent the public good.

The Committee therefore beg leave to submit for adoption the following Resolutions:—

*Resolved*, That the speedy construction of the New-York and Erie Rail Road, has become an object deeply interesting and important to the merchants, mechanics, traders, landholders and all other inhabitants of this city—and that the efforts of the company who have been incorporated with power to construct it, merit and ought to receive the zealous support and co-operation of the public authorities.

*Resolved*, That from the minute and personal examination of the concerns of that Company made by the Committee of the Boards of Aldermen and Assistant Aldermen, and the facts herein above set forth of the situation and prospects of the Company, there can be no reasonable doubt of their inclination and ability to complete the Road with all practicable despatch, and to finish the whole within five years in case they shall be aided to a moderate extent by the patronage and co-operation of the state.

*Resolved*, That it is proper and expedient for the Common Council as representatives of the City and County of New-York, containing one third of the aggregate amount

of taxable property within this state, to petition the Legislature to invest a portion of the public funds in the stock of the Company, or else to facilitate its objects by a loan of the credit of the state, and therefore—

*Resolved*, That his Honor the Mayor be requested to transmit to the Legislature the petition of the City of New-York under its corporate seal, setting forth the necessity and advantages of this great work and soliciting the Legislature to aid in its speedy execution.

*Resolved*, That the public authorities of our sister City of Brooklyn, constituting a large and important portion of our commercial emporium, be, and they hereby are respectfully invited to co-operate with the Common Council of this city in such measures as may become necessary to facilitate the completion of the proposed road.

*Resolved*, That it be recommended to the citizens at large, assembled either in general meetings, or in their respective wards, to adopt energetic measures to express to the Legislature their sense of the transcendant importance of this great work, in preserving and extending their internal commerce with the west, and thereby augmenting to an incalculable extent, the population and prosperity of this metropolis.

*Resolved*, That in view of the importance of the proposed route in affording unrivalled facilities for the rapid transmission of commercial intelligence, it will be proper to petition the Congress, or the Post Master General of the United States to adopt such measures as may be necessary to secure the permanent use of the road, for the carriage of the public mails, and that his Honor the Mayor be requested to transmit to Washington such memorial and petition in that respect ■■ may be appropriate.

*Resolved*, That the members of Assembly, and of Congress from this city at Albany and at Washington, be, and they hereby are respectfully requested to use their best efforts in such mode as to them shall seem proper, to promote the success of the petitions thus to be presented by this city—and that they be furnished by the Mayor with copies of this report and the accompanying resolutions.

WM. SAML. JOHNSON,  
SILAS M. STILWELL,  
ISAAC L. VARIAN,  
JOHN BOLTON,  
J. J. BOYD,  
JOHN DE LAMATER.

*New-York, Feb. 4th, 1835.*

## APPENDIX A.

*Report of BENJAMIN WRIGHT, Esq., Civil Engineer, who was appointed by the Governor to survey the route of the New York and Erie Railroad.*

TO JOHN A. DIX, Esquire,

Secretary of State:

SIR:—His Excellency the Governor having been pleased to appoint me to execute the survey, and make an estimate of the expense of a Railroad from “*at or near the city of New York to Lake Erie*” under the act of May 6th 1834, which said act, requires me to file the report, maps, profiles and estimates in the office of the Secretary of State:—

In conformity to said act I now present my report, maps, profiles, &c., to be filed in your office, as the law directs, and beg leave hereby

## TO REPORT :

That in undertaking the important and responsible duty of surveying the route of a railway communication from the Hudson river, near the city of New York, to Lake Erie, I deemed it essential to keep in view the great public objects sought to be attained by the proposed work. It was obvious that the road was to be constructed, not only for the accommodation of the inhabitants of the district immediately adjacent to the route, but also in order to furnish the means of a regular, rapid and uninterrupted intercourse, at nearly all seasons of the year, between the city of New York and the extensive and populous communities upon the Western lakes and waters.

The vast and acknowledged benefits which had been experienced throughout a great part of the State, and especially by its commercial emporium, from the construction of the Erie Canal, as well in the increase of population and wealth, as in the progress of agriculture and trade,



the augmented value of lands, and the rapid and unexampled growth and creation of cities, towns and villages, along the route, had plainly proved that a thoroughfare running through the southern tier of counties, and properly suited to their topographical character could not fail to impart similar advantages to that important and valuable section of the country, while the pressing necessity of establishing a channel of communication within this State which should be open during nearly, or quite the whole of the winter months, and thereby remedy the evils occasioned by its high northern latitude, had not only been felt sensibly by the inhabitants of the metropolis, but had excited public attention throughout a great portion of the fertile and extensive regions upon the upper Lakes, and the valley of the Mississippi.

The long line of counties in our own State, through which the road would pass, favored as they are with a healthful climate and an enterprising population, and abounding in natural resources which the proposed work could not fail to develop, also possessed an additional importance in their peculiar topography, being intersected in numerous directions by important streams, leading into that section of the country from other parts of the State, and thereby furnishing striking facilities for connecting the proposed road with lateral branches, capable of accommodating large masses of our population.

Keeping therefore steadily in mind these general considerations, I deemed it an incumbent duty in selecting the line of location for the proposed road, to obtain a route which as far as should be practical might combine :

1st. Reasonable economy in its construction.

2d. Rapidity and regularity of communication for passengers, light merchandize of value, and the public mail.

3d. Cheapness of transportation for bulky commodities.

4th. Facilities of connection with lateral branches.

5th. The general accommodation of the inhabitants,

and the developement of the resources of the country along the route,

And I considered it also necessary to take into view, not only the present, but the prospective advantages of the route, and to arrange the graduation of the whole work, in reference to such further additions and improvements as might hereafter become necessary in order to accommodate a great increase of trade and transportation.

Being guided by these general outlines, I commenced the survey of the route on the 23d of May last, under the appointment which I received from his Excellency the Governor on the 21st of that month.

The work was divided into two grand divisions: of which the *Eastern*, extending from the Hudson river to Binghampton, was under the direction of James Seymour, and the *Western* from Binghampton to Lake Erie, was placed under Charles Ellet, jr., both acting as my assistants and subject to my supervision.

Those gentlemen, with my advice and approbation, each had sometimes two, and often three and four parties employed in explorations through the season. From each of them I have received separate reports, with their views of plans and description of country through which each had passed.

I take great pleasure in stating, that the surveys thus committed to their care, have been executed to my entire satisfaction, and I refer to their reports and estimates of quantities, as exhibiting the industry and skill with which their duties have been discharged.

I have personally inspected the lines surveyed nearly their whole length, and have particularly considered and examined every part of the route, at which there could be any reasonable doubt or difficulty, and we have fully advised and compared opinions, as to all prices estimated for the graduation of the work.

It is possible, and I may say probable, that the short-

ness of time allowed for the completion of so long a line of survey, in some instances not noticed by me, may have prevented our ascertaining the very best and cheapest route, of which some portions of the country may have been capable; but I have become perfectly satisfied from the lines already run, and minutely measured, that a feasible route has been obtained, free from formidable difficulties, and capable of being completed with economy and despatch.

A more minute and careful exploration over some particular parts of the country, will enable the engineer to adopt very considerable alterations and improvements at many points, both as to graduation, and also the cost of the work.

The great object of securing rapidity and regularity of communication between the city of New York and the Lake, being one of paramount importance, I have studiously sought to avoid the use of stationary steam power on inclined planes, as being productive of delay, danger, expense and difficulty; and in this respect, have been so successful, that, with the exception of one single plane near Lake Erie, I have brought the whole line within the power of Locomotive Engines, drawing passenger cars, light merchandize, and the public mail.

The steepest acclivity encountered on the whole line, with the exception beforementioned, will be only one hundred feet per mile; and having been furnished with satisfactory evidence that by recent improvements in the locomotive steam engines, on the Baltimore and Ohio Railroad, they have been enabled to ascend an acclivity of one hundred and seventy-six feet to the mile, drawing between five and ten tons weight, I rely upon that fact in stating, that locomotive steam engines may be advantageously used on the whole of the proposed route, from the Hudson river to the head of the plane near Lake Erie: that they will be able to pass its steepest grades, drawing at

least 70 or 80 passengers, with their baggage; while upon at least nine tenths of the whole route, they will be able to propel very great burthens at a great rate of speed.

In order, however, to obtain these easy grades of acclivity, I have been compelled to pursue, by a serpentine line, the valleys of streams, and thereby to lengthen very considerably, the linear extent of the route.

The general face of the country is undulating, and marked by bold and prominent features; but, nevertheless, it is intersected by numerous rivers and their branches, which have a gentle descent, and fortunately pursue the general direction necessary for the route, in much of the distance.

It is this all-important and cardinal feature in the topography of the country, and the facilities which the valleys of those streams thus present, for obtaining gentle ascents and descents, and moderate graduation, which will explain the reason why I have been able to find a cheap and easy route, without the aid of stationary steam power, through portions of the State which, to the eye of the passing traveller, crossing, as he does, the numerous hills which are traversed by the ordinary stage roads, would seem to present insuperable obstacles to the accomplishment of the proposed work.

An examination of the plans and profiles returned with this report, will show that the route instead of passing directly *over*, goes *around* the hills; and that it has not been necessary to surmount any considerable acclivities, except in three or four instances, in which the line crosses the natural boundaries of the great valleys into which the route is topographically divided.

It is true, that the departure from a straight line thus occasioned by following the winding of the water courses, has considerably lengthened the whole route between New-York and Lake Erie—But when it is considered that great rapidity of transportation, and cheapness of construction

have been thereby secured, and a greater portion of country accommodated ; that the conformation of the country wholly forbade the adoption of any other route, more direct, without enormous expense ; and that the circuitry of route will be comparatively less than that of the Pennsylvania canals, its deviation from a direct line will not be regarded as a formidable obstacle or objection.

The natural boundaries of the valleys, which are pursued by the route, will serve to subdivide it into six grand divisions, to wit :

The *First or Hudson River Division*, extending seventy-three and a half miles from a point in the Hudson river, twenty-four miles north of the City Hall of New York, to a point in the Deer Park Gap, of the Shawangunk Mountain, dividing the waters flowing into the Hudson from those flowing into the Delaware.

The *Second or Delaware Division*, extending from the point last mentioned through the valley of the Delaware and its tributaries one hundred and fifteen miles, to a summit twelve miles N. W. of the village of Deposit, in Delaware county, dividing the waters of the Delaware from those of the Susquehanna.

The *Third or Susquehanna Division*, extending from the point last mentioned through the valley of the Susquehanna and its tributaries one hundred and sixty-three and a half miles, to a summit thirteen miles S. W. of the village of Hornellsville, in the county of Steuben, dividing the waters of the Susquehanna from those of the Genesee.

The *Fourth or Genesee Division*, extending from the point last mentioned across the valley of the Genesee thirty-seven miles, to a summit three miles E. of the village of Cuba, in Alleghany county.

The *Fifth or Alleghany Division*, extending along the valley of the Alleghany and its tributaries eighty-three miles to the head of the inclined plane, distant four or five miles from Lake Erie, on a straight line.



The *Sixth or Lake Erie Division*, embracing the short and rapid descent to the Lake, including the inclined plane and the two branches, one to Portland, nine miles, and one to Dunkirk, eight and a half miles.

It will be perceived by an inspection of the profiles, that the only points where the rates of ascent exceed 60 feet per mile, will be found on the summits above specified, as forming the boundaries of the six Grand Divisions of the route. The acclivities in passing these summits are respectively as follows :

One grade of 100 feet to the mile, in passing from the Hudson River Division, down the west side of the Shawangunk mountain into the Delaware Division.

One of 70 feet, and one of 61 feet to the mile, in passing from the Delaware Division to the Susquehanna Division.

One of 70 feet and one of 55 feet to the mile, in crossing the ridge, between the Susquehanna and its tributary the Chenango River.

And one of 72 feet to the mile, in passing from the Susquehanna Division to the Genesee Division.

I have no doubt that all these ascents and descents above specified, may readily be surmounted by locomotive engines drawing passenger cars, light merchandize and the mail. But in order to aid the passage of burden cars, heavily loaded, it will be necessary to station at the several points above specified, either auxiliary locomotive engines, as is practised on the Liverpool and Manchester rail road, or an increase of animal power, as is used in passing the Parr Ridge on the Baltimore and Ohio road. That this can be effected without any material interruption or inconvenience, will be obvious when it is recollected that the western slope of the Parr Ridge, on the last mentioned road, has an ascent of no less than 253 feet to the mile, an acclivity nearly three times as great as the steepest grade on the proposed route, but that it is neverthe-



less surmounted at all times by burthen cars heavily loaded, aided only by an increase of animal power.

It will also be borne in mind, that at least three-fourths of the heavy tonnage passing on this road, will descend eastward towards tide water. The elevation of the head of the inclined plane near Lake Erie, being 1303 feet above the Hudson river, the products of the western country passing eastward, will necessarily descend 1303 feet more than they will ascend, and their passage will consequently be aided to that extent by their own gravitation.

It is, however, by no means impossible, that in the course of twenty years the great increase of the population and agricultural products of the interior, and the necessity of expediting their passage to market, may render it expedient and economical to adopt additional tracks with a compound moving power and grades reduced in all cases to 30 feet per mile, with stationary engines, operating on inclined planes, and located at intermediate points along the road. In that event, the entire change might be effected along the whole line, without altering more than thirty or forty miles of the road.

And although I do not believe that this change will ever be made or become necessary, except in the event of so great an increase of trade as to make steady uniform power the best, in which case I believe that stationary power applied on the present grades would be found best, and used as Messrs. Walker and Rastrick proposed on the Liverpool and Manchester road, as *reciprocating power*—I have thought it proper to state how far it would affect the graduation of the road to substitute planes and stationary power, and grades in other places of 30 feet per mile.

The change of plan last mentioned would only apply to burthen cars in any event, as passenger cars would be liable to less danger, interruption and delay, by using the

locomotives or extra animal power to surmount the dividing ridges.

In making the survey and location, I have had lines of exploration made on various parts of the route, in two or three different directions, and more particularly near the Hudson River, where four different routes to several landings were examined, and are all represented on the maps and profiles herewith returned; and if the funds had held out to accomplish some further examinations in Rockland county, and time had permitted, I should have pursued still another line from a point on map No. 1, marked Z, and followed on the northern and eastwardly side of the Hackensack River, in the direction of the dotted line, so as to join the line which runs to the river at Tappan. Such a line ought to be explored before the final location of the Road through Rockland county.

Another part of the line in Orange county ought also to be noticed, as deserving of further examination, which is exhibited on maps Nos. 3 and 4. A strong and ardent desire to accommodate by passing in the immediate vicinity of so important a town as Goshen, and former examinations for a Railroad having produced impressions favorable to that route, I had supposed it would prove the best ground, and therefore spent our labors upon it; and it was not until it was too late, that we observed the formation of the country from near Chester through by Florida and the practicability of passing the Wall Kill near Pellet's Island, and joining the present line some six or seven miles west of Wall Kill, that we supposed we could change from the route near Goshen. This route requires an instrumental examination, but unless it prove greatly superior to that by Goshen as now returned, the accommodation of so important a town ought to give it the preference. The routes between the Wall Kill and Shawangunk mountain are exhibited on the map and profiles, and a final location on this part is intimately connected with the suggestion about the Florida route.

It has been proposed to cut upon the top of the Deer-Park Gap, (which is a deep depression of the Shawangunk Mountain,) about 50 feet at the highest point. This is done in order to reduce the grade upon each side, and particularly on the west side, to 100 feet per mile. The east side can be easily reduced to a grade of 60 feet, for a short distance, and then much less.

I have looked at this point, and given it considerable thought, to determine what ought to be the present plan, in reference to future improvements, when the great increase of business on this road will demand every facility that the nature of the country will permit; and it has brought my mind to the conclusion, that before the lapse of 20 years after the completion of the road, a tunnel will be driven through the mountain, of about three-quarters of a mile in length, whereby its elevation would be so reduced, as to permit a grade of probably 75 to 80 feet, on the west side, and about 30 on the east. As the acclivity of 100 feet to the mile on the west side of the mountain, is the steepest grade encountered on the road, it has also appeared to me to be well worthy of observation, how far this ascent could be relieved, by the adoption of an inclined plane with a stationary engine, believing, that if it is admissible on any intermediate point on the route, it might be employed at this point, for the relief of the burthen cars, to great advantage. The idea of the tunnel and the stationary engine will, however, be matters of subsequent inquiry, at some future time, and are now referred to, only as parts of an ultimate plan, proper to be borne in mind, in the permanent location of the route.

The line located, then follows from the Shawangunk mountain, by a high embankment across the Valley of Basher's Hill, and then crosses the Delaware and Hudson Canal without difficulty, and soon enters the Valley of the Neversink river, which it follows to the mouth of a branch of this river, called the Sheldrake, and up that to

its source : thence crossing the heads of the several branches of the Mongaup, it reaches the head of the Callicoon, (a branch of the Delaware,) which it follows to its junction with the latter river.

An examination of the ground plans will show, that ■ route has also been surveyed down the Popackton, or eastern branch of the Delaware, and there are also exhibited and marked several other routes through Sullivan County, which have been examined, and regular surveys carried over them, and profiles made of some.

The route passing near Monticello, which is the county town of Sullivan county, would on that account deserve a preference, if the facilities and advantages are nearly equal as to other points, such as grade and cheapness of construction; and although our surveys, as we made them, did not show as favorable a line by Monticello as by the other route, I think a further and more critical examination should be made through this district of country, to find ■ more favorable route than we have yet seen; and should this be the case, we should, I think, shorten the route some miles. and obtain the advantage of carrying it through a more populous and settled country.

Although the route marked out on the plan as following up the eastern or Popackton branch, and then the Beaver Kill and Williwemach and Little Beaver, has been regularly surveyed, and profiles of it returned, I however consider the route by the Callicoon to be so far preferable, that I have not required my assistant to give me quantities on this route, and have not of course estimated it, but it can be done hereafter if necessary or useful.

In carrying the route of the rail road through the heart of Sullivan county, and thereby giving great and permanent advantages to a large district of country, capable of sustaining a considerable population, I will make this passing remark, that by passing down the valley of the Never sink from the foot of the Shawangunk mountain, until I

reached the valley of the Delaware river, and then passing up the Delaware to the mouth of the Callicoon, I might have found a route of much easier grade, and which would not average over fifteen feet to the mile. But to that plan there are, in my mind, serious objections. 1st. It would be a more expensive line to grade, on account of its passing along steep side hills, and heavy ledges of rocks, requiring expensive rock excavation. 2d. It would not accommodate or be very useful to Sullivan county, as the country along the bank of the Delaware is not generally favorable to cultivation. 3d. It might come into collision with the Delaware and Hudson Canal, and perhaps divert some of its legitimate and fair business; and in its construction it might interfere with and injure that important and very useful work, for the execution of which, its enterprising proprietors deserve to be gratefully considered.

The line then passes up the Delaware from the Callicoon to the village of Deposit, from which a lateral road may easily be extended into the heart of Delaware county. The route then crosses by a bridge the main or Mohawk branch of the Delaware, and thence follows up the Oquago Creek to its source, on the route towards Bettsburgh, from whence it descends to the Susquehanna, and passing that river near Nineveh, follows up the valley of Belden Brook to its source, and then taking the head waters of Page Brook, follows that down the Chenango to Binghampton, or its vicinity.

An examination of the maps and profiles will show, that several routes have been examined between the Delaware river at Deposit and the Chenango at Binghampton, and that lines were run on the most favorable ground, on a nearly direct course between Deposit and Windsor on the Susquehanna, and between Windsor and Binghampton from the Susquehanna to the Chenango.

Both these summits, however, proved to be considera-



bly higher than those on the route chosen ; and they cannot be overcome but by stationary steam power. For ■ more particular description in detail, of the difficulties to be overcome, I refer to the report of Mr. Seymour, and will only add, that after having attentively examined these routes, I am decidedly of opinion, that the northern route by Bettsburg and by Nineveh and Page Brook, ought to be adopted. That route, moreover, will possess a local advantage of peculiar value, in the facilities it will give to various branch rail roads leading into the populous and wealthy sections of the State, along the valleys of the Upper Susquehanna, the Unadilla and the Onondaga branch of the Chenango, and thus accommodating the counties of Otsego, Chenango, and Courtlandt, and parts of the adjacent counties.

When the line came near the mouth of Page Brook, on the Chenango, it became a question to determine which side of the Chenango we should pass down to near its mouth. A desire to approach near, and even pass into, the growing and important village of Binghampton, determined me to have the survey made on the east side, but ascertaining that the Chenango Canal had not then been finally located, I directed a survey on the west side also, and to pass the river near the mouth of Page's brook. This part of the line I do not consider as settled, neither can it be finally determined until the canal is nearly completed ; when that shall be done, we can see if there is a fair chance of carrying our railroad on the upper side at a reasonable expense ; and should this be the case, a preference ought to be given to the east side of the Chenango, so as to approach near to Binghampton, and pass over the river near the upper part of that village.

From the Chenango river the route, in following down the Susquehanna Valley for about forty miles, passes through the flourishing village of Owego, where it will become connected with the steamboat line now in prepara-



tion for navigating the Susquehanna, and also with the Owego and Ithaca Rail-Road, which will connect the main line with the important and fertile section of the State adjacent to the Cayuga and Seneca Lakes. After descending for forty miles along the east branch of the Susquehanna, we approach near the Pennsylvania line, north of Tioga river, (being a large branch of the Susquehanna,) and pass up its valley, by Elmira, Big Flatts, and Painted Post, to the forks of the Conhocton and the Canisteo; and then, following up the Canisteo to its source, we pass Hornellsville, Almond, and over the summit between the waters falling into the Susquehanna, and the waters of the Genessee river.

Of nearly 130 miles on the route between the point where we leave the Valley of Page Brook, and near Almond, the grades are all extremely easy and favorable, or can be made so.

From near Almond, in going on westward, we pass the dividing ridge, where, for the present, we have made our grade line 72 feet per mile, but which can be somewhat relieved; and, passing down Dike Creek, we fall into the Valley of the Genessee river, and run down that a few miles, and then up the Valley of Van Campens Brook, through the villages of Friendship and Cuba, until we take the Valley of Oil Creek; then down that to its junction with Ischua Creek, and down the Valley of Olean Creek to the Alleghany river.

Through this district, from the summit between the waters of the Susquehanna and Genessee, and that between the water of Genessee and Alleghany, we have some grades which reach 50 feet per mile, as the line is now run; but it is believed that considerable improvement will be made in this part, on a revision of the line.

Having reached the Valley of the Alleghany, we pass down it about 26 miles, over excellent ground, generally, to the Indian village, near the Cold Spring Creek. There

leaving the Alleghany, we pass up the Valley of the Cold Spring, and over a small swell of land, and descend into the Valley of the Little Conewango, a branch of the Large Conewango; and, passing down that stream, and the Large Conewango, passing the village of Randolph, in Cattaraugus County, and the villages of Waterboro' and Kenedyville, in Chatauque County, following down the Valley of the Great Conewango to the Casadaga branch, and up that to its junction with Chatauque outlet, we then follow up the Casadaga Valley to Bear Creek, and up that to near Bear Lake. Here we arrive at the dividing point between the waters which run southerly into the Alleghany, and those which run northerly into Lake Erie.

At this point we are only about five miles in a direct line from Lake Erie, and 740 feet above it; and here is a place where we find ground favorable to descend by one plane 506 feet in a distance of about one and a half miles; and at the foot of this plane we find ourselves nearly equidistant from Dunkirk and Portland.

At Dunkirk the Government of the United States have expended considerable money in the construction of a harbor, and are preparing to expend more. At Portland there has been no money expended, except by individuals. The Government of the United States have had a regular survey and estimate of cost to make a harbor. I have obtained plans of each of these places, and return copies of them herewith. It is said that the cost of making a harbor upon the plan reported by Captain Maurice, of Portland, would be \$40,000.

It will be seen by the maps and profiles returned, that a route was surveyed from Randolph, in the County of Cattaraugus, up the Valley of the Great Conewango to its source, and then striking off towards Dunkirk. This route was tried in order to find a more direct and shorter course to Dunkirk or to Fayette, at the mouth of Silver

Creek. This latter place has claims for its natural advantages for a harbor, and probably will receive attention at some future day.

In running the line to the head of the Ccnewango, and from thence beginning to descend the declivity towards Lake Erie, I was in hopes of finding ground favorable for descending at 50 or 60 feet per mile, and reaching Dunkirk by that grade, and thereby doing away the necessity of stationary steam-power and inclined planes ; but I found the whole face of the country so cut by gulfs and intersected by ridges, that I was defeated in my project, and abandoned it. The plan appears to me to deserve further exploration before a final decision.

I had also lines of survey run on each side of Chatauque Lake, and thence to Portland, which are particularly mentioned in Mr. Ellet's report to me ; but I have not had maps and profiles of them made.

In selecting the Casadaga route, I have considered the advantages of its passing through the centre of the County of Chatauque, and approaching within about three and a half miles of Jamestown, at present the largest of all the towns in this valuable county. Its approximation, also, to the harbors of Portland and Dunkirk, tends to entitle it to a preference, while the strong probability that improvements will soon be made in the Alleghany river so as to render it at all times navigable for steamboats, and the fact that it may now be navigated during a considerable period in the spring, render it desirable to continue the route as far as practicable down the valley of that stream, and thereby facilitate the direct communication between the City of New York and the great valley of the Ohio. And it ought also to be borne in mind, that the construction of the road as far as this point, will go far to insure its continuation through the Western States to the Mississippi river, in which event that great western branch would leave the main line near the mouth of the Casadaga creek.

The above are the general outlines of the route, but for more minute particulars, I beg leave to refer to the Reports of my assistants, Mr. Seymour and Mr. Ellet, which are herewith presented, with the details necessary.

The total amount of linear extent from the Hudson river to Lake Erie will be 483 miles, which distance may however be shortened from 10 to 15 miles by alterations in the route which may be found desirable upon a further survey. The curves upon the roads are generally easy, none of them having less than 500 feet radius.

The graduation of the road has been estimated throughout, for a double track, including embankments in all cases of solid earth, and embracing all necessary bridges, viaducts, and culverts, together with the expenses of grubbing and fencing, comprehending in fact, the whole cost of the road, except that of superintending, of the damages (if any) to be paid for the land to be taken, and the expenses of the Engineer Department.

According to the report of Mr. Seymour the expenses of graduation, thus estimated, for the  $222\frac{3}{4}$  miles between the Hudson river and Binghamton, will amount to \$1,551,982, being \$6,968 10-100 per mile; and according to the report and estimate of Mr. Ellet, the expense of graduation thus estimated for the remaining  $260\frac{1}{4}$  miles, will be \$1,165,536, being \$4,478,51-100 per mile. Total graduation of the 483 miles \$2,717,518, or \$5,626, 33-100 per mile, including fencing, clearing in timber land 100 feet on each side, (to prevent trees falling on the road,) and also all bridges over rivers, viaducts, culverts, road crossings, &c. &c.

Cost of grading as above,	\$2,717,518
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Add 10 per cent. for contingencies,	271,751
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	\$2,989,269
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The cutting and embankments are all 25 feet wide, and the slopes of the embankments are one and a half base to

one perpendicular. This I consider as a permanent and solid form, and calculated for stability.

The expense of superstructure will vary according to the particular plan which shall be adopted.

I have caused cross sections of several different roads now completed to be drawn, and have also drawn some which I think well adapted to the country through which the road will pass, for 400 miles, if a wood and iron road is adopted—there may be seen marked No. 5. That marked No. 2 is also of wood and iron, and is the common road as now built between Schenectady and Ballston, and such as will be built between Schenectady and Utica.

Such a road as No. 2, if built of yellow pine and oak, or chesnut, will cost in Orange or Rockland about \$2830 per mile.

Such as No. 5, will cost about 3400 dollars per mile.

Such as the Camden and Amboy, and the Columbia and Philadelphia road, cost 10 to 12000 dollars per mile.

The Petersburg and Roanoke cost about 2600 dollars per mile, as I have been informed.

These are all for a single track, with one turn-out or sideling to each mile.

If the sum of \$3,400 per mile be taken it

amounts to	1,642,200
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	\$4,631,469
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Add for Engineering, &c. 3 per cent. on

4,359,718,	130,791
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Total,	\$4,762,260
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This sum will grade and bridge over rivers the whole road for two tracks, and put down one track ; which is all that ought to be done until the road is travelled nearly its whole length ; and this also includes the inclined plane and steam power to operate upon it, and also a long and expensive wharf into the Hudson River.

These estimates are, in my opinion, liberal, and such as



will make an excellent road, and, as I have before observed, there are many places where a great reduction might be made in the expense, by a small alteration of the grade. There are also very great reductions which may be made in the outlay of capital in the construction of this road, by making timber work in many places where I have made calculations of earth embankments.

There is no doubt that when a final location of a working line shall be made, the Engineer would be able to make small variations in the line which would very greatly reduce the expense. I make these remarks to shew that there is no doubt in my mind of the estimate being amply sufficient for grading the road.

The bridges over the large rivers, I have also estimated higher than they will cost, if only built without regard to roofing, or otherwise protecting them from the weather. I have considered and planned these bridges to be only sixteen to eighteen feet wide, and so formed as to have a double track over them, but that so fixed as that loaded trains of cars cannot pass each other on those large bridges. I did not think so much weight as two trains of loaded cars passing different ways, ought to be permitted to pass on a bridge at the same time. It would perhaps bring fifty tons or more on it at the same moment, which is improper, unless in one long extended train.

I have also estimated one turn-out, or sideling to each mile. If locomotive power is used on the long easy grades before mentioned, these turn-outs ought to be dispensed with, and only placed at every five or ten miles, as they are found extremely troublesome when locomotive power is used, owing to the carelessness and inattention in leaving them open, when they ought to be shut. I find that on Rail-Roads now in use, the test of experience has shown it necessary to take up turn-outs which had been placed every mile, and only place them once in ten miles, and that at the water stations for the locomotive ; and in



this case the man who attends the water stations sees to the turn-out being in its place, whenever the cars are coming in sight.

In making the estimate I have put down the item of fencing and also clearing away the timber on each side of the Rail-Road, for one hundred feet wide, to prevent trees from falling on the road. These items are of that kind that in many instances there may be arrangements with the owners of property, to save some part of the estimated cost.

I have said that water stations, where locomotives are used, are generally about 10 miles apart. This is the case on some roads—on others these stations are 12 miles and more distant. This is regulated by the capacity of the water cars or tanks carried by the locomotive.

The country through which we pass is admirably adapted to furnish water convenient and cheap, as the springs in the sides of the hills are elevated above our grade; so that it will only be necessary to introduce some aqueduct logs and bring the water to the proper elevation required.

In the reports of rail roads which have been constructed and are now in use, the heavy items for pounded stone, which has been used for filling up trenches, have added very greatly to the expense. Experience has, however, satisfied most of the practical engineers that the road does not stand as well when laid on broken stone, as when laid on planks or timber, and the estimates have been made on the latter plan.

It is true that almost every where along the line of this proposed road, there is small flat stone or gravel, or sand, and when the plank or scantling are laid in trenches, the small flat stone may be thrown in and rammed down, and they operate as drains to cast off the water from under these timbers into the side drains: and these being properly prepared to take away all water in them, the bed of the road is kept dry and solid.

Although the appearance of the road as located, is circuitous, the curves have all more than 500 feet radius. As

we have run the lines, and probably in making a final line of location, it will be found that the shortest or boldest curve need not be less than 600 feet radius. These are easier curves than some on the important roads now in use in the United States, and I do not consider that any difficulties will arise in locomotive engines turning them.

The Report of the Engineer on the Eastern Division, will show two routes from the town of Liberty, in the county of Sullivan, to Shohocking, at the junction of the Popackton, or the East Branch of the Delaware, with the west branch, in Delaware County.

I have before observed that the route down the Callicoon was preferred, because it had less difficulty as to ascent—and the Beaver Kill route would have one inclined plane near Young's Gap. This route by the Beaver Kill is, however, nearly nine miles shorter than the Callicoon route, and admitting that the tunnels (which are represented) are made instead of going round the bend at Hawk and Sprague Mountains, then the distance will be shortened 3 miles, making 12 miles shorter.

But still it appeared on a comparison, that the saving in ascent and descent, amounting to something more than 300 feet, the easier grading on the Callicoon route, and the easier curves on the line by the Callicoon and Delaware than on the Beaver Kill route, decided my mind in favor of the Callicoon route, although at increased distance.

The law under which this survey was made, provides that it shall commence at the City of New York or its vicinity, or at such point as is most eligible and convenient.

The point on the Hudson River where the road would strike, it being still subject to further revision, and knowing that no great difficulties could arise in locating the road through the county of Westchester, the want of time and means prevented my effecting this survey. Considerations of policy would require this piece to be delayed until the other parts shall be in great forwardness, and then it will be made without doubt. All which is respectfully submitted by

January, 1835.

BENJAMIN WRIGHT,  
*Civil Engineer.*

**DOCUMENT NO. 43.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**FEBRUARY 4th, 1835.**

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Statement of Receipts and Expenditures of the North-  
am Dispensary, from April 1, 1834 to January 1, 1835,  
presented by J. De Lamater, ordered to be printed and  
filed.

**R. FISHER, Clerk.**

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Dr.

Northern Dispensary in account with John De Lamater, Treasurer,

Cr.

1834				1834			
April 1	To cash paid E. A. Webb, apothecary one quarter	\$112	50	April 1.	By cash received from Lectures de- livered for the benefit of the institution	\$ 88	72
	do D. McMartin, sundries	2	00		do from John Bolton, Esq.		
	do Sundry repairs & fixtures	37	45		do donation	20	00
May 17	do W. H. Sweet, for stove	37	75		do subscribers	400	35
June 3	do Assessment for sewer in 6th avenue	4	04	Oct. 20.	do The Corporation of the City for the vaccine department	300	00
11	do Advertising meeting and lectures	7	25				
23	do T. Paterson, white washing	3	00	1835			
	do Smith & Roome, sundries	10	57	Jan. 1.	do balance due Treasurer	141	39
July 19	do D. Foster, cleaning and repairing cistern	7	50				
Oct. 1	do W. L. Elmer, apothecary six months services	225	00				
	do W. L. Elmer, bill sundries	10	06				
	do W. K. Winant, assistant	9	38				
30	do G. T. Clark, repairing instrument	9	08				
	do N. B. Holmes, for stationary	22	89				
Nov.	do Geo. Tieman, for instrument	12	31				
	do W. N. & E. Clark, for medicine	237	39				
	do P. C. Smith, for painting	2	50				
13	do N. T. Andrews, for groceries	49	79				
1835							
Jan. 1	do W. L. DeBow, four months services apothecary	150	00				
		\$950	46			\$950	46
	Bills remaining unpaid Jan. 1, 1835.						
	To N. B. Holmes, for stationary	15	31				
	B. C. Brown, for printing, 2 years	105	38				
	W. N. & E. Clark, medicine	314	31				
	G. T. Clark, for instrument	13	87				
	J. D. Whiteall, for fuel	24	00				
		1423	33				

To the Honorable the Corporation  
of the city of New-York.

Respectfully submitted,

JOHN DE LAMATER.





**DOCUMENT NO. 44.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**FEBRUARY 9th, 1835.**

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Report of the Street Committee on the petition of Samuel Fitz Randolph and others, for change of name of Spruce Street to Park Street.

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To the Honorable Common Council of the City of New-York.

The undersigned, owners of property in Spruce street, respectfully represent that the great improvement recently made by the widening of this street, renders it expedient that its name should be changed. It has been hitherto known as one of the most contracted and filthy streets in the lower part of the city, and these defects have always been associated with its present name. For these reasons as well as its now forming one of the principal avenues to the Park and City Hall, they respectfully pray that in future it be designated as *Park street*.

Samuel Fitz Randolph,  
B. Deming,  
James Chalmers,

Peter Aimes,  
Thomas Ewbank,  
A. G. Thompson,

James Ward,	Wm. Leo Wolfmedzy,
Nathaniel Oakley,	John R. Pitkin,
Jacob Lorillard,	Masterton and Smith,
Wm. C. Rhineland, ex'r	H. Costar,
of Wm. Rhineland dec'd.	George M'Kay,
Peter A. Hegeman,	C. Sawyer,
agent for Sarah Stake,	B. de la Pierre.

The Street Committee of the Board of Assistants to whom was referred the Petition of Samuel Fitz Randolph and others, to change the name of Spruce street to Park street—

### RESPECTFULLY REPORT,

That on the 23d day of June last, past, a petition similar in its matter and object, to the one referred to this committee, was presented to the Board of Aldermen and referred to the Street Committee of that Board. On the 21st day of July that committee reported a resolution that it was inexpedient to grant the prayer of the petition, and that resolution was adopted by the Board. On a comparison of the signatures to the two petitions, they appear to be the same with six exceptions, five of which are new ones and the other affixed to the first petition and not to the second. The committee of the Board of Aldermen gave their reasons for the resolution which they recommended for adoption, and those reasons are not questioned in the petition now under consideration, it is therefore presumable that the petitioners were unable to answer them. If such is the case, it seems to this committee to be hardly respectful, that the same petitioners should with substantially the same story come to this Board, asking us to review the decision of the other Board. It seems to imply

a charge against the Board of Aldermen of at least careless if not of undue legislation and even of improper motives ; and against this Board of either wanting respect to the other Board, or of so much inattention to the affairs of the city, as not to inform themselves of the proceedings of the Aldermen. Either of these grounds would form a sufficient reason for not entertaining the petition. But there is another, the Board of Aldermen have expressed their opinion that the name of Spruce street ought not to be changed, and the petitioners are bound to know that the name of the street cannot be changed without a concurrent vote of both Boards. A decent regard to the gratuitous services rendered by the members of the Common Council, would seem to require that they should not be called upon to spend their time in useless labor, and if the petitioners intended in this manner to express their disrespect of the Board of Aldermen or the committee of that Board, they may rest assured that this committee will not aid them in fixing the stigma. In the opinion of this committee, this view alone would be enough on which to deny the prayer of the petition.

But upon the merits of the application, this committee are of opinion that the reasons for denying the petition are conclusive. As a reason for changing the name of Spruce street to Park street it is alleged in the petition, that the street has been widened—that it has hitherto been known as one of the most contracted and filthy streets in the lower part of the city—and it now forms a leading avenue to the Park. The committee see no argument for the change of name in the fact that the street has been widened—as well ought a boy change his name on arriving at manhood. Its reputation of being a contracted street must soon be lost in its present spacious width, and if it should retain its character of filthiness, it would rest with the petitioners who represent themselves, “owners of the property,” on the street. The name itself, of Spruce street, carries no un-

pleasant association with it. And the associations which shall attend it hereafter, will depend upon the character it deserves. That it leads to the Park—when connected with other names in the neighborhood, is a sufficient reason for not calling the street Park street. We have now the Park, Park Row, a Park place, and the addition of Park street, would perfect the confusion of names, signalize it in rank of perplexity, with the Exchange, Exchange Place, and Exchange street, which now forms the puzzle of the first ward.

In the opinion of this committee, the names of streets should never be changed, without very strong reasons. Such changes, are like destroying “ancient land marks.” The citizens at large are incommoded; for it is long before the new name becomes generally known; historical facts loose their localities, certainty and proofs; local associations loose their identity; titles to land become confused and embarrassed, and those things which should be accompanied with the recollections and vestiges of venerable age, and be cherished as mementos of former times, get lost and buried under modern fancies.—This committee therefore recommend the adoption of the following resolution:—

*Resolved*, That the prayer of the petition of Samuel Fitz Randolph and others, that the name of Spruce street be changed to Park street be denied.

Respectfully Submitted,

WM. SAML. JOHNSON,	} Committee
SAMUEL PURDY.	

New-York, Feb. 4th, 1835.

**BOARD OF  
ASSISTANT ALDERMEN,  
FEBRUARY 9, 1835.**

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Report of John L. Embree, superintendant of lamps and Gas, (semi-annual.) Laid on the table and ordered to be printed.

R. FISHER, Clerk.

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The Superintendant of Lamps, begs leave to offer the following report :

Six months having elapsed since my appointment to the Lamp Department, during which time the average of short and long nights, are so nearly divided with the remainder of the year, it is favorable for a Report, which will show as accurately as can be anticipated, the expense for the year.

Feeling the responsibility of the expenditures connected with the department of which I have charge, is so great, I consider it my duty as well as interest, to endeavor to make a statement which will enable the members of the Common Council, to understand more perfectly the duties of the superintendant, as well as the amount, and particulars of the disbursements connected with it.

I am sensible the duties of superintendant are generally viewed as comparatively light, and would therefore beg to state, the Lamp District is much more extensive, than the public at large, have any idea of, and probably some may doubt the fact ; but from measurements I have taken I am fully convinced it embraces a distance of more than one hundred miles, which is travelled over twice by sixty men every day of lighting, which is three hundred times in the year. This whole district ought to be overlooked ■■

often as practicable, otherwise abuses will creep in, that would be difficult to remedy.

A large portion of every day ought to be devoted to the Oil House, as oil is given out four times in the week, and every day more or less lamps are brought in for repairs, which require immediate attention, and frequently orders to be drawn for work done out of the house.

I would take the liberty here to state the total inefficiency of the present law for the department, as well as the injustice of compelling the Superintendant to audit bills of repairs, which are done a mile from the office, at a place not under his supervision, but by another department which ought to be distinct and entirely separate. It is not reasonable to suppose the same interest can be felt for general work, as that which belongs to each department, and besides the Superintendant of repairs, duties are so various and important, it cannot be expected he can give that attention to matters of minor importance, which one more immediately interested would think necessary. I would therefore respectfully suggest the propriety of an entire revision of the law, that the Department may stand upon its own merits; and as the Superintendant ought to be accountable for the expenditures, so, it is but common justice, that he should be allowed a supervision over them.

It will be observed that the cost of oil for the last six months, is less by 264, 53-100 dollars, than for half the year of 1833, although the number of lamps has increased more than three hundred. This is probably to be attributed to the reduction in price since that time, as by a report for 1832, the average cost for oil was 82, 9-10 cents per gallon, and for the last six months, that is from the sixth of July 1834, to January 7th, 1835, the average is 71 $\frac{3}{4}$  cents per gallon; it is therefore reasonable to suppose there was no great variation in price in 1833.

From a former communication to the comptroller, the putting down of Gas posts complete for lighting, were estimated at twenty five dollars and thirty cents, each one,



which I apprehend from an investigation of the subject, will be found to fall short of the actual expense, which if my information is correct, will be twenty eight dollars, thirteen cents each.

I would respectfully suggest the propriety of placing the oil lamps, at shorter distances from each other, than has been the practice, particularly in the lower parts of the city, and in such streets as is not contemplated to light with gas, as there is great dissatisfaction expressed for the want of light in many streets.

Being satisfied from an examination that an increased number of lamps is necessary, I would ask for a resolution to that effect, in the following wards. First ward 30, second 25, third 20, fourth 40, fifth 40, sixth 54, seventh 70, eighth 64, thirteenth 92, fourteenth 84, making altogether 519; and as many oil posts will be displaced by gas, the expense will not be very important.

By a resolution of the Common Council in May 1834, 220 extra lamps were appropriated for the eleventh ward, ninety seven of which have been put down. There is no probability that more than twenty three additional will be wanted for two or three years, which will leave a surplus of one hundred not wanted.

As the gas lamps in Broadway below Fulton street, are at very unequal distances, I would recommend that they be properly regulated, which would answer a double purpose, as we are much in want of short posts to put down where there are vaults,) and they could be replaced by others from the yard.

Three hundred and two lamps have been up and lit, the last season, on resolution of May 8th, 1834.

There are up at this time, fifty six hundred and sixty street lamps, which are divided into sixty districts, mostly of one hundred; each district has three spare lamps for an emergency, as frequently so many are brought in for repairs, it would be impossible to have it done in time without employing more assistance.

The Department have on hand 6500 gallons of oil.

do	do	do	new oil lamps	327
do	do	do	sec'd hand do good	20
do	do	do	new gas lamps	154
do	do	do	old do do	67
do	do	do	oil lamp irons	51
do	do	do	gas do do	275
do	do	do	gas lamp posts	820
do	do	do	oil do do	62
do	do	do	oil lamp posts sec'd hand good	23

The amount of oil used in the street lamps from the 6th of July, 1834, to January 7th, 1835, is 22005 gallons, cost \$15,762 36. Institutions have had in the same time 1691 gallons, cost \$1216 42. Average number of street lamps for the same time, 5509, cost of oil for each 2,86,1-8 cts

Glazing bill for 6 months,	409 68,
Tinners do do	205 65,
Spirits of turpentine, do	68 86,
Cost for lighting,	13,192 48,
	\$13,876 67.

The whole expense for each lamp,

\$5 40 $\frac{7}{8}$ , or \$10 81 $\frac{3}{4}$  per year.

Twenty three gas lamps were put out, and lit, in Hudson street, on the 19th of this month, by our lighters at the same rate as oil lamps, which is twenty five per ct. less than the gas company charge.

There are under the direction of the Gas Company, three hundred and eighty four gas street lamps, the cost of gas from last estimate for 6 months,

is \$303 each lamp, 384 is 1175 4,	
Glazing bill,	97 80,
Tinners bill,	34 18,
Bill of Repairs to posts, &c.	40 00,
Turpentine, Oil, Brushes, &c.	30 00,
Gas company bill of sundries,	20 65,
Lighting 384 for 6 months,	1144 32, \$2541 99.

The whole expense for each lamp, \$6 60 $\frac{3}{4}$ , or \$13 21 $\frac{1}{2}$  per year, which is \$2 39 $\frac{3}{4}$  more per year for each gas lamp than oil. Respectfully submitted, by

JOHN L. EMBREE, Sup't Lamps and Gas.  
New-York, Jan. 30th, 1835.

**DOCUMENT NO. 46.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**FEBRUARY 16th, 1835.**

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Report of the Finance Committee on the statement of the Public Administrator for the year 1834, by L Suydam. Adopted and ordered to be printed.

**R. FISHER, Clerk.**

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The Finance Committee to whom was referred the Public Administrators' statement of the receipts and expenditures of his office for the year 1834—

**RESPECTFULLY REPORT,**

That they have examined said document, and that it appears to them to comply with the requisition of the Revised Statutes Chap. 6, title 6, of public administrations, article 1st, section 39, but that it does not give the detail of administrations to the extent required by the ordinance of the Common Council which calls for,

- 1st. The name of the intestate.
- 2d. The addition or calling if known.
3. The residence or where last from.
4. The date of letters of administration.
5. The total amount of receipts.
6. The total amount of debts.
7. The amount of costs in each case.
8. The amount of distribution in each case.
9. The commissions reserved.

And also for a transcript of such of his accounts as shall have been closed or finally settled, and likewise of those on which any money has been received, as part of the proceeds of the estate of any intestate upon which he has administered.

Your Committee therefore offer for adoption the following resolution :—

*Resolved*, That the statement of the receipts and expenditures of the office of Public Administrator for the year 1834, as the same has been by him presented—be filed in the office of the Comptroller.

*Resolved*, That the Public Administrator be, and he is hereby directed to lay before the Common Council such a statement of the affairs of this office as is required by the ordinance of the Common Council, passed March 8th, 1833.

Respectfully submitted by

LAMBERT SUYDAM,	}	Finance Comt. Board of Assistants.
WM. SAML. JOHNSON,		

**DOCUMENT NO. 47.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**FEBRUARY 23d, 1835.**

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Report of the Street Committee of the Board of Assistants, on the petitions of Francis Cooper and others for an extension of Bond street. Laid on the table and report of Committee alone ordered to be printed.

**R. FISHER, Clerk.**

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The Street Committee of the Board of Assistants, to whom was referred the two petitions hereto annexed, of sundry persons, for the opening of a new street between Bleecker and Amity streets, west of Broadway, and sundry remonstrances against the same.

**RESPECTFULLY REPORT,**

That the advertisement required by law in cases of this kind has been made under the direction of the Street Commissioner ; and the committee have been attended by parties who were opposed to, and others who were in favor of the proposed improvement ; and they have given the subject very serious attention.

The application is in effect, for the extension of Bond street westwardly, from Broadway to Carmine street, at a distance midway from Bleecker to Amity street, and of the same width with Bond street, namely a width of seventy feet. The arguments in favor of this project, are in short

as follows :—That the blocks, proposed to be cut by the proposed new street are from 490 to 496 feet in length, northerly and southerly by 200 feet in width : That lots fronting on streets running east and west are much more valuable than those on streets running north and south, and therefore by making the new street, means will be afforded, of turning land which now compose lots fronting on north and south streets, into lots fronting on east and west streets, and thus greatly enhance their value : that there are many lots which fronted on Amity Lane before it was closed by law, that now have no fronts on any street and consequently are comparatively valueless ; but by opening the new street, they will be brought into use and value ; and further that the houses which fronted on Amity Lane are still left standing, and are inhabited by a bad population ; and the ground which was Amity Lane, from the accumulation of filth upon it, and the population which uses it, forms a very serious nuisance, which can be abated only by opening the proposed new street ;—That at the time Amity Lane was closed, it was understood that a new street, as now proposed, should be made, and that opposition to the closing of that lane was quieted by that understanding. To this is added that the opening of the new street will increase the facilities of communication between the western and eastern parts of the city ;—That the sixth Avenue has no direct outlet at its southern extremity, and that the new street will furnish one ;—That Carmine street is a business street, but that the people of the 15th ward for want of a communication with it, are obliged to go down town for their shopping. The arguments for the opening are concluded with the standing reasons, that the buildings to be removed by the improvement are of little value ; that the improvement can never be made at less expense, and that the revenues of the city will be greatly increased by the increased value of taxable property.

The application is opposed on various grounds, which will appear in the progress of this report. In the opinion



of this committee the city at large is but little interested in the subject matter of the petitions, as one of public benefit or convenience. Its general character, if not its sole character, is one affecting the private interests of individuals. The principles which have governed previous Boards of the Common Council, in granting or refusing applications for opening or improving streets, do not appear clearly developed in the printed documents, and this committee feel themselves left very much to their own resources, to determine what principles should govern in such cases. These "improvements," as they are habitually called, seem to divide themselves naturally into three classes, namely, those, the benefits of which, are solely of a public character, and from their locality and peculiarities, produce no sensible benefit or damage to individuals; those the benefits of which are solely private, affecting the interests of individuals—and in which the public have little or no interest; and those which partake of the mixed character of the two other classes. The cutting of private property into pieces, the turning of men out of their possessions and families out of their houses, by the opening and widening of streets, this Committee look upon, as partaking so much of violent private grievance, that it should seldom be done against the remonstrances of individuals, unless the public good requires the sacrifice; and in cases where private benefit is the principal and governing motive to the proposed improvement the application ought not to be granted against a strong opposition of those interested. There is no provision of law, or principle of good government which authorises the taking of private property for private benefit; and though by the operation of that principal, carried out to its full bearings, great advantages to individuals may be lost, and perhaps lost to the very persons who, ignorant of their own interest, make the opposition, still the memorable case of the improvement of the Place de Carousal, in Paris, will ever stand as an honorable memento of the respect of the despotic Em-

peror of France to the laws, which were the breath of his nostrils, and should never be forgotten by a free people, living under a government of laws, pretending a sovereign respect for private rights. That a man's house is his castle, is an acknowledged principle of the law ; but it is not as a place of security only that it should be respected. It is the place endeared to him as his home by a thousand associations, conveniences and comforts ; it is that for which he is ever ready to contend ; is the source of those associations, which contain the germ of that patriotism which is the strength and pride of a nation.

In the opinion of this Committee, the Petitions before them are for an "improvement" of the second class above named ; namely, one for private benefit, and in which the public have little or no interest to be enhanced thereby.— It is asserted that it will improve the communication between the east and west parts of the town. But Amity street is on one side of the proposed new street and Bleeker street on the other, and both parallel to it, and these two streets are less than five hundred feet apart. It is also said that Carmine street is a business street, and that for the want of convenient access to it, the inhabitants of the 15th Ward are compelled to go down town to make their purchases. This argument seems to the Committee as a mere attempt to ring a new change on a supposed popular topic, and to mislead the judgment by the agency of interest. If the inhabitants of the 15th Ward have no other reason for going down town for their purchases, than the inconvenience of access to Carmine st., through Waverly Place, Washington Parade, Fourth, Amity, and Bleeker streets, they will hardly be induced to go there through extended Bond street. The Committee are of opinion that the public have no other interest in favor of the proposed improvement, than that which is common to every additional street or path in the city, to wit : it may save some few steps, in passing to and from two points on opposite sides of the block, which are equi-

distant from the streets on the two remaining sides. The only other advantage the Committee perceive that the public can derive from the proposed "improvement," is the embellishment the city would gain by the new and perhaps more elegant houses which would be erected on the street.

It was strenuously contended before the Committee, that the extension of Bond street, is not called for by any public necessity or utility ; and that such being the case, there is no power in the Corporation to open the street ; and that such is the decision of the Supreme Court in their late opinion on the opening of Albany street. The Committee are advised that the decision in the case of Albany street will not support so broad a rule as that contended for ; and that it is yet an open question whether the discretion, as to the improvement of the streets, vested in the Corporation by statute, is subject to revision by any power whatsoever ; or, in other words, whether the questions of the public necessity, utility, or expediency of improving streets, are not confided to the Common Council alone and absolutely. But although, in the opinion of the Committee, under the advice they have received, such discretionary power is vested absolutely in the Corporation, still they are of opinion that in the exercise of such a sovereign power, they should inquire closely into the public necessity, utility or expediency of any proposed improvement, and with the highest regard to private rights. Under this view of the subject it is urged in opposition to the petitions, that the portion of the town proposed to be intersected by the new street, has been laid out into squares or blocks, of 200 feet by less than 500 feet, forming blocks of a common and reasonable size, and of such a reasonable size as to raise a species of implied guarantee to the owners of the property there, of a quiet possession, undisturbed by even the fear of dispossession, or disturbance of their quiet by an intersection of the blocks. The argument is of force with this Committee, and is strength-

ened by the fact that the blocks are now sufficiently small for all purposes of a full and free ventilation of their interiors ; and are so situated in reference to the prevailing winds of our summers, when ventilation is most needed, as to best take advantage of them. The owners of Bond street property zealously remonstrate against the proposed new street, on grounds allied to the preceding. They urge that they have selected their residences in that street because of its quiet and freedom from the noise attendant upon a thoroughfare ; and that the extension of the street will deprive it of the character which induced them to purchase or build there, and to pay large prices for their houses and lots. They claim that the plan of the city was so settled and subdivided in that section as to authorise their confidence that it would not be changed, and that they are entitled to a quiet possession, undisturbed by the "rage for improvement." Again, they fear that they will be assessed for the expenses of the "improvement," inasmuch as the Commissioners may think that their property may be for some purposes enhanced in value thereby : but they contend that they have bought their property to use and not to sell, and the use for which they bought will be impaired, not benefitted by the proposed measure. This Committee are disposed to respect the objection.

The Committee agree with the Petitioners in the opinion, that lots, in the section of the town under consideration, which front on East and West streets, are more valuable than those fronting on North and South streets. But how are these lots to be made to front on the new Street ? The land out of which they are to be formed, now belongs to lots fronting on North and South streets. And in proof of the difficulty of effecting the necessary changes of ownership of the pieces of land required to form the new lots, we have the instance of Amity Lane, which is dwelt upon by the Petitioners as a nuisance almost insufferable. It is now some years since Amity Lane was closed, still but few only of the lots which fronted thereon have changed own-

ers, and been made parts of lots fronting east and west. By a glance at the map accompanying this Report, it will be perceived that only a few individuals own land so situated that they can form lots with new fronts, without purchasing from, or exchanging with, their neighbours. And can the Corporation be justified except for very strong reasons and these of a *public* nature, for producing so much confusion and trouble amongst individuals, and thus disturbing possessions; and can they be justified in so doing at the instance of individuals, and for the benefit of individuals, except with the consent of all concerned! The Committee admit that the land will be enhanced in value, if the fronts be changed, but the difficulty lies in changing the fronts, and the whole question is one of private interest, which, connected with matters of this kind, seems to this Committee to be not a subject of discreet city legislation. In respect to the nuisances in Amity Lane, it cannot be allowed that they form a proper argument in support of the Petitions. If they exist as stated, it is the duty of the public authorities to see that they be abated, and it cannot be admitted, at least officially, that the public authorities are inadequate to abate them.

It is further urged by the Petitioners, that when Amity Lane was closed it was understood that the proposed new street should be opened, and that opposition to the closing of the Lane was thereby quieted. The Committee cannot recognize any such argument, but if any such understanding existed, it seems to have been without any consideration; for the owners of the lots fronting on Amity Lane, have been paid by the Corporation sums of money equal to the then full value of the lots, and the owners suffered to retain the land in addition.

Annexed to this report is an elaborate document, made up on the part of the petitioners, with apparently great care, and showing in classes the opinions of the several owners of property, likely to be directly affected by opening the new street, and also their interests and the situa-



tion of their property. It is an *ex parte* document, but the Committee have received and annex it as containing valuable matter. By this document it appears that a majority in interest, are in favor of the "improvement," in reference to those opposed to it, and that nearly one half of the whole interested do not take sides on the one hand or on the other. The persons referred to are the owners of property between Bleecker and Amity streets and east of Carmine street and the Sixth Avenue. The same document contains an estimate, showing that the benefits or enhanced value which will be given to property by the "improvement," will greatly exceed the damages.

There is one principle however, running through the whole document, which ought to be noted. It is this, the value of the several pieces of property mentioned in the document is made up by adding seventy five per cent to the value of the lots as fixed by the assessors of the 15th ward this present financial year.

The Committee are of opinion, that the new street is not wanted for public purposes, and is not required by public necessity or expediency. That the project is one affecting the private interest of individuals almost exclusively, and in the present state of opinion of those interested, and for the reasons before given, that the Common Council ought not to grant the prayer of the petitioners, they therefore recommend the following resolution for adoption.

*Resolved*, That the prayer of the petition of Francis Cooper and others, and of S. W. Benedict and others, and hereto annexed for the opening of a new street, between Bleecker and Amity streets, west of Broadway, be denied.

WM. SAML. JOHNSON,	{	Street Committee.
ROBERT SMITH,		
SAML. PURDY.		



**BOARD OF  
ASSISTANT ALDERMEN,**

**MARCH, 9th, 1835.**

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Report of the Joint Committee on Laws and Ferries, on the subject of re-establishing the Ferry granted to Elias De Grushe by deed of April 12th, 1774. Laid on the table and ordered to be printed—and made the special order of the next meeting.

**R. FISHER, Clerk.**

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The Joint Committee on laws and Ferries to whom was referred the annexed resolutions, having deliberated upon the subject embraced by the resolutions, with an anxious desire to preserve undiminished that control over the Ferries to and from the City of New York, which is deemed to be vested in the Corporation of this city by charter, and to avoid any collision between the state and city governments upon this subject.—

**RESPECTFULLY REPORT,**

That applications are now pending before the legislature of this state, for the establishment of two Ferries, the one from Pike Slip in the City of New York, to the Wallabout

in the City of Brooklyn, and the other from some southerly point as low as Old Slip, to Patchens Dock in Brooklyn. Your Committee entertain the belief that in case the Corporation of the city of New York, do grant leases of Ferries in cases where the public necessities require them, (of which they must be the judges,) the Legislature of this State will not be disposed to invade the rights of this Corporation, if the power of granting Ferries be exclusively vested in them, or even if the Legislature possesses a concurrent or appellate power in the premises; and without discussing the question of exclusive control over the Ferries, your Committee would submit for the consideration of the Board whether public convenience, (by which they mean not that of the isolated inhabitants of New York or Brooklyn, but of the citizens of other states and counties, especially those which are tributary to the city of New York,) does not imperatively require the establishment of a Ferry communication between New York and Brooklyn, south of Fulton Ferry?

The Committee will further remark that they are informed and believe that since the discussion in this Board, on the petition for the establishment of a south Ferry, the number of petitioners have greatly increased upwards of 15,000 citizens of this city, asking for that accommodation, and they are informed by some of the individuals most deeply interested in the Jamaica and Brooklyn Rail Road, that its terminating point is fixed at Patchens Dock, on the Brooklyn shore.

This fact alone strongly urges the propriety of establishing the proposed Ferry.

The Committee deem that the exclusive exercise of the power of granting Ferries to and from New York, by the Common Council of this city is highly essential to its permanent interests and prosperity, and that we should view with a jealous eye any and every attempt to divest them of this controul.

The loss of that revenue which this city at present derives from that source, and which would greatly increase in proportion as those facilities, (where needed) are granted, would be sensibly felt, and sincerely deprecated; and this Committee deem that no better evidence of the necessity of such grant can exist, that the offer of a considerable increase to our revenue for the enjoyment of such privilege.

The Committee would further suggest that the unexampled increase in rents in the upper section of this city, admonishes us that the beneficial effects of our Legislation should not be confined to sectional divisions, but should be general and equal, and in all cases applied where the necessities or convenience of our fellow citizens, or the increased commercial prosperity or extension of this city requires it.

Your Committee would further remark that they have ascertained that on the 12th day of April, 1774, a grant was made by the Mayor, Aldermen and Commonalty of the city of New York, to Elias De Grushe, of a Ferry from the west side of Coenties Slip, to and from the wharf of Messrs. Livingston and Remsen, in the now city of Brooklyn, but which grant was never acted upon, as your Committee suppose in consequence of the rupture that soon thereafter succeeded between this and the mother country. Your Committee allude to the circumstance for the purpose of showing that the establishing of a Ferry for the accommodation of the southern section of this city was a subject of early consideration with the authorities of this city.

The Committee do not deem it necessary to state the various reasons that should induce the establishment of a Ferry south of the Fulton Ferry; they deem that sufficient present themselves to the mind of every person, to satisfy them that public policy and the interests of our constituents imperatively require it.

That no difficulty may arise from a supposed infringement of the rights guaranteed by the Corporation to the Fulton Ferry Company, they subjoin a copy of a contract, duly executed by the stockholders composing that company by which it will appear that the Corporation of New York will not be guilty of any breach of good faith by granting the proposed Ferry.

Your Committee therefore respectfully recommend the following resolutions for adoption :

*Resolved*, That a Ferry be established from Slip to the foot of Atlantic street in Brooklyn, to be called the South Ferry, and that such part of the said Slip, and of the bulkhead fronting the same as may be necessary for such Ferry, be appropriated for that purpose to be designated by the Street Commissioner and Superintendant of wharves.

*Resolved*, That a lease of said Ferry be granted to Lyman Betts, and Charles Kelsey and their associates, provided said lessees do furnish within a time to be specified in their said lease, two or more good steam Ferry Boats, to be approved by the Ferry Committee of the Common Council, and provide all necessary floats and fixtures, and be subject to such provisions and conditions as are usual in the Ferry leases granted by this Corporation, and as may be designated by said Committee.

*Resolved*, That it be referred to the Committee on Ferries and the counsel of the Board to settle with the said Lyman Betts, and Charles Kelsey and their associates, the terms of the lease upon which said Ferry shall be granted and the rates of ferriage to be charged.

HORACE HOLDEN,	} Committee on Laws.
WM. SAML. JOHNSON.	
ROBERT SMITH,	} Committee on Ferries.
J. J. BOYD,	

New York, March 9th, 1835.

*Articles of Agreement connected with the New South Ferry.*

Articles of Agreement made this twelfth day of March, in the year one thousand eight hundred and thirty-four, between Conklin Brush, Lyman Betts, Charles Kelsey, Joseph A. Perry, Clarence D. Sackett, Charles Hoyt, of the first part, and the undersigned stockholders of the New York and Brooklyn Steam Ferry Boat Company, of the second part.

Whereas the Mayor, Aldermen, and Commonalty of the City of New York, by Indenture of Lease bearing date the twenty-fourth day of January, in the year one thousand eight hundred and fourteen, did grant, demise, and to farm let, unto Robert Fulton and William Cutting of the City of New York, since deceased, all and singular the ferry and right of ferriage, from Beekman Slip, in the City of New York, to the old Ferry at Brooklyn, and from the said old Ferry at Brooklyn, to Beekman Slip aforesaid, to have and to hold, unto them and their assigns, for the full end and term of twenty-five years from the first day of May, one thousand eight hundred and fourteen, and did amongst other things, grant, promise, covenant and agree, to and with the said Robert Fulton and William Cutting, that they, the said Mayor, Aldermen, and Commonalty of the City of New York, and their successors, would not, during the existence of the said Lease, grant, establish, or permit, any other ferry between the said City of New York and Brooklyn, to the southward of the present Ferry at Catharine slip. And whereas, shortly after the making and delivery of the said Lease, the said Robert Fulton, one of the Lessees therein named, did assign, transfer, and set



over, unto the said William Cutting, all his right, title, and interest, of, in, or to the said Lease, and premises, and terms of years, therein mentioned and described, so that the said William Cutting, became possessed of the whole right and interest of, in, and to, the same, and whereas the said William Cutting did afterwards, by articles of association, form a Company, under the name of the New York and Brooklyn Steam Ferry Boat Company, for the purpose of carrying on the said Ferry, so demised to him, by the said Corporation as aforesaid, which was to continue until the determination of the said lease from the said Corporation, and no longer.

And whereas, the said parties hereto, of the second part, are the present associates and stockholders of the said the New York and Brooklyn Steam Ferry Boat Company, and the said Gertrude Cutting, one of the said stockholders, is also possessed of all the rights, privileges, and interest which were reserved to the said William Cutting, under the said Articles of Association.

And whereas, the said parties of the first part, being interested in the growth and prosperity of Brooklyn, are desirous that a Ferry should be established between that place and the city of New York, south of the present Ferry at Fulton Slip, and have proposed that if the said parties hereto of the second part will sign a consent in writing to the establishment by the Corporation of the City of New York, or by the Legislature of this State, of another Ferry from New York to Brooklyn, to be located on the Brooklyn side, not nearer to the Fulton Ferry than south of the foot of Jerollomon street, and on the New York side, not nearer the Fulton Ferry than Old Slip, that they, the said parties of the first part, will pay unto the said, the New York and Brooklyn Steam Ferry Boat Company, the annual sum of four thousand dollars, in equal quarterly payments, during the residue of the Lease of the said Fulton Ferry, commencing from the time the contemplated



Ferry shall go into operation, and the Boats shall commence running.

And whereas the said parties hereto of the second part, have agreed to accept of the said proposal. Now therefore, it is agreed by and between the said parties, ■ follows, that is to say—

First, The said parties hereto of the second part, in consideration of the premises, and of the annual sum of four thousand dollars, agreed to be paid by the said parties of the first part, as hereinafter mentioned, do consent and agree that the Corporation of the City of New York, or the Legislature of this State, shall and may grant and establish a Ferry from New York to Brooklyn; the landing place on the Brooklyn side not to be nearer Fulton Ferry than south of the foot of Jerollomon Street, and on the New York side, not nearer the Fulton Ferry than Old Slip.

Second. In consideration of the said consent, the said parties hereto, of the first part, do hereby promise and agree, and they do hereby bind themselves jointly and severally, their and each of their heirs, executors, and administrators, that they shall and will, pay unto the said the New York and Brooklyn Steam Ferry Boat Company, the annual sum of four thousand dollars, in quarterly payments, commencing from the time the contemplated Ferry shall go into operation, and commence running, and ending at the expiration of the Lease of the Fulton Ferry.

Third. It is hereby distinctly understood that the consent herein contained for the establishment of ■ Ferry, south of the Fulton Ferry, shall in no wise be deemed to extend to the establishment of more than one Ferry. And the stockholders of the said the New York and Brooklyn Steam Ferry Boat Company, hereby expressly declare, that they will use their influence to prevent the establishment of any Ferry from New York to Brooklyn, south of

Catharine Slip, other than and except the Ferry herein and hereby consented to.

In witness whereof, the parties hereto have set their hands and seals, the day and year first above written.

JOHN G. COSTER	(LS.)
DAVID HOSACK	(LS.)
WM. E. LAIGHT	(LS.)
JAMES B. CLARKE	(LS.)
GEORGE HICKS	(LS.)
JOHN H. MOORE	(LS.)
G. C. LANGDON	(LS.)
DAVID LEAVITT	(LS.)
F. C. TUCKER	(LS.)
ROBERT CARTER	(LS.)
JOHN G. WENDEL	(LS.)
JNO. T. IRVING	(LS.)
SILAS BUTLER	(LS.)
RICH'D. S. WILLIAMS	(LS.)
JOHN D. WENDEL	(LS.)
G. CUTTING	(LS.)
LEFFERT LEFFERTS	(LS.)

**DOCUMENT NO. 49.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**MARCH, 23rd, 1835.**

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Report of the Special, together with the Street Committee of the Board of Assistant Aldermen, on opening and widening Centre Street. Laid on table, ordered to be printed and made special order for next meeting.

**R. FISHER, Clerk.**

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The Special Committee, together with the Street Committee of the Board of Assistants, to whom was referred the annexed resolution for the opening and widening Centre street from Chatham street to some convenient point at the Bowery.

**RESPECTFULLY REPORT,**

That the advertisement required by law in cases of this kind has been published under the direction of the Street Commissioners, that the Committee have been attended by many of the owners of property in favor of the contemplated improvement, and by others opposed to it; that

they have given the subject that serious attention to which they believed its importance entitled it; and have made use of all the means in their power to enable them to arrive at a correct conclusion.

The resolution was in effect for the opening and widening of Centre street from Chatham street to the Bowery to the width of one hundred feet.

The Committee after a careful investigation and much deliberation, have come to the unanimous conclusion that this street ought to be opened from Pearl street to Chatham street, and widened to Grand street, agreeable to lines drawn upon a profile of Centre street, which accompanies this report, and to which the Committee beg leave to refer; by these lines it will be seen that the Committee have fixed upon seventy-five feet as the proposed width of the street. They have come to the conclusion that it would be incompatible with the interests of the owners of lots generally on the line to extend it to the width asked for by the resolution, but the Committee are of opinion, that a street seventy-five feet can be opened, and with very few exceptions will not at all injure the remaining property, but on the contrary greatly increase the value thereof, and in coming to this conclusion, they have taken into consideration, not less public and private convenience than public and private interests. They have also been confirmed in the correctness of their conclusion on this subject by the almost unanimous concurrence of the owners of property to be immediately affected thereby.

In fixing on Grand street as the present limit of the contemplated improvement, the Committee have been actuated by the considerations, that it would put the Butchers of Centre Market to great inconvenience to deprive them of their Stalls until such time as they be provided for in some other location in that vicinity. Your Committee are also informed that many of the owners of property from Broome street to the Bowery are opposed

to the further extension at present of the contemplated improvement.

In regard to opening from Pearl to Chatham streets, it is the opinion of the Committee, that the improvement is earnestly called for by the community at large, and more especially as the Common Council contemplate the erection of spacious public buildings on the Corporation grounds between Leonard and Franklin streets, consisting of a House of Detention, accommodations for the Police Officers and Courts of Sessions, the Debtor's Jail, Watch Houses, &c., and as these buildings, in reference to the business of our Halls of Justice will in many ways be connected with the Offices and Courts in the City Hall, it will be desirable that easy access should be had from one to the other. In relation to the widening and raising of the street from Pearl to Canal street, there is but one opinion of the Committee which is decidedly in its favor.

The Committee have been led to contemplate with surprise, the fact that among the great and important improvements in streets which have been accomplished by the wisdom and public spirit of our City Councils, within a few years past, and which have added such beauty and value to a vast amount of property, to say nothing of the increased facilities of communication, which are at all times of great importance to a commercial public, Centre street which is located in such a central and by consequence such a valuable part of our city, should thus long have been neglected, and the more so as it is admitted on all hands to have been an odious and offensive nuisance for years, discreditable to our public authorities, injurious to the public health and inconsistent with that rule of equal justice which the people have a right to demand at the hands of the Common Council in the distribution of their munificence for the improvements of the city.

The objections which have been urged before the Committee against the contemplated improvement as laid down in the accompanying profile, principally come from

those who admit the propriety of some improvement being adopted on the subject. They allege the common reason, if it may be so called, which may be used against all improvements, to wit, that private property will be taken from the owners without their consent, and used for the benefit of the city, and to promote the interests of others, that they will not only suffer injury but be put to great inconvenience,—others who indulge the idea that their interests may be unfavorably but remotely affected, by the contemplated improvement, have urged against it the consideration that they have purchased property in other parts of the city, in reference to established thoroughfares for business, which they fear may be affected in a manner prejudicial to their interests by the contemplated improvements.

The Committee have given to these objections all the considerations which they have deemed them entitled, but they have not been able to see their force, or come to a conclusion similar to those who have urged them. It has been well remarked by an honorable member of the Board of Assistants, in a report upon a cognate subject, that the cutting of private property into pieces, the turning of men out of their possessions, and families out of their houses, by the opening and widening of streets, partakes so much of violent private grievance, that it should seldom be done against the well grounded remonstrances of individuals, unless the public good requires the sacrifice. In the present case, the Committee are constrained to believe that comparatively few will be unfavorably affected by the contemplated improvement, to any serious extent. By a reference to the accompanying profile, it will be seen that many of the lots which will be cut in the rear, and from the owners of which the strongest objection has been raised, may be extended in their present fronts, by the closing of the present thoroughfares, which will be superseded in their usefulness by the contemplated opening, and



thereby comparatively very few domicils will be disturbed in their present location. The Committee have also taken into consideration and recommended the closing of Cross street from Reed to Chambers street, under the direction of the Commissioners, allowing one half of said street to the owners of parts of lots, left by said opening, to enable them to erect sightly buildings thereon, and the other half to the owners of property on the west side of Cross street.

The Committee also recommend the extending of Reed street to the proposed line of Centre street, which on reference to the map, it will be seen may be done, by taking ■ small triangular piece of ground of trifling value, which would add much to the beauty and value of the improvement.

The Committee have also come to the conclusion that the small triangle which will be left between Tryon Row and the Hall of Record, ought to be taken down and thrown open, because public convenience requires and the growing importance of our city will increase the necessity, that the point, where two great thoroughfares, such as Chatham and Centre streets must necessary become, should be open and spacious as possible.

The Committee are pleased to believe that the contemplated improvement, is not only called for by the public good, but that the same will have the sanction of a great majority of the owners of property affected thereby, inasmuch as it is believed that the increased value of property consequent thereon in its vicinity, will more than compensate the owners for the immediate losses they may sustain.

In reference to the widening from Pearl to Grand street, the ground will be from nothing to twenty-five feet, the present limits of the streets from Pearl street to Canal street, varying from seventy-five to fifty feet,—and as the cutting will be principally on the west side of the street; there will be a very small amount of damage done to the lots as far as Canal street. From Canal to Grand street, the cutting will be principally on the east side, with the

exceptions of some projections on the west side, and all the buildings thereon are comparatively of trifling value. In opening from Chatham to Pearl streets, portions of Free School No. 1, and of the Lombard Association, one house in City Hall Place, part of a house in Cross street, and those in Chambers and Pearl streets will be taken,—with these exceptions, all the other buildings to be taken are of little value.

The Committee do not hesitate in giving their opinion that the expense of the contemplated improvements are trifling in comparison with the importance of the objects to be accomplished thereby.

The following are some of the considerations, which have been urged in answer to the objections made thereto and which have induced the Committee to unite, in recommending the adoption of the improvements proposed.

In the scale of public improvements, the rights, privileges and interests of all should have their due weight. The city treasury is supplied with funds by the equal taxation of the property of the whole city, and reciprocity in this as in most other cases, is a just principle. Equal support is the consideration paid for equal protection, as the interests of a few should yield where the interests of many are concerned, so should private interests yield something for the public good. Every person who has purchased property in the city of New-York, must be understood as having done so, not only in reference to the improvements made in the immediate vicinity of the purchase, and which may have enhanced its value at the time, but also in reference to such other and future improvements, as the growing importance of our city, and the public interest, and equal rights of others might require, so that the argument of an implied pledge on the part of our City Authorities being concerned in the purchase of an individual—must fall to the ground. It would appear an absurdity to suppose that all the people of this great city, ought to live

in one street, and more absurd that all the business ought to be confined to one street. Public good demands the improvement, because it will promote the health of the city in general, and more especially of the immediate neighborhood; it will promote the facilities of communication between the Halls of Justice, when the new buildings shall be completed, and also open a communication with Nassau street to Wall street, thereby affording a very desirable relief to Broadway and Chatham street, both of which, it is well known, have become almost inaccessible with safety, by a private vehicle or by the pedestrian, in consequence of the rush of omnibuses, carts, &c. connected with the great and still growing business of our city. Centre street in its present condition, is not only a public nuisance, but a public burthen in expense. The yearly expenditures on Centre street in the Sixth Ward, to keep it in any way tolerable, may safely be put down at one third of all the expenses of the ward. It is the receiving street of all the water courses from Broadway and the Bowery, and all the intermediate streets, the waste water of the Manhattan Water Works, and of the wash water from the New-York, Washington and City Baths; these accumulated and filthy waters passing over a surface of from one half to three quarters of a mile before getting into the Sewer at Canal street, and in the warm season, exposed to the scorching rays of the sun, and emitting an intolerable stench, might well be termed the nursing mother of the yellow fever, cholera, and all those complaints, arising from an impure atmosphere.

The Committee are of opinion that by properly raising Centre street, after opened, by altering the present graduation thereof, commencing on the surface of the street as it now is at Canal street, proceeding on a regular elevation by a line which will end near the present surface at the intersection of Centre and Duane streets, with corresponding counter slopes on the intersecting streets, accord-

ing to a plan now preparing in the Street Commissioner's Office agreeable to a resolution of the Board of Aldermen, and extending the sewer as far as may be deemed necessary in a manner to receive the waters from the other streets by means of side culverts communicating with the sewer, many if not all the deleterious effects arising from its present low condition may be remedied. As an additional reason why this matter should be acted on (if at all) without delay, your Committee beg leave to state, that many of the buildings at present standing on the lots immediately on and in the vicinity of the lines of the contemplated improvement are very old and much decayed, and the owners thereof are anxious to pull down and replace them by others of a much more costly structure and also to build on several vacant lots, but are at present deterred from doing so without hazarding great expense and inconvenience, by reason of the present unsettled state of this question. (It is also believed that the moral condition of that part of the city will be improved by the contemplated work, thereby affording a favorable location for men of business or for the residences of those who wish to be near their business in the lower parts of the city.) The public interests will also be advanced by the improvement, the Corporation grounds in the vicinity will be greatly increased in value thereby, public and private convenience as well as private interests are deeply concerned in its favor for the reasons already stated.

The Committee are of opinion that the improvement prayed for to the extent of a street seventy-five feet wide is founded in justice to the rights and interests of a great portion of the inhabitants of that part of the city—that the public necessity and public expediency alike require it, and for the reasons before given, the Common Council ought to grant it. They therefore recommend the adoption of the following resolutions :

*Resolved*, That Centre street be opened from Pearl to

Chatham street, to the width of seventy-five feet, that the same be widened from Pearl to Grand street, to the width of seventy-five feet, and that the Centre street Sewer be extended to Duane street if deemed necessary.

*Resolved*, That Centre street be raised by altering the present graduation thereof, commencing on the surface of the street as it now is at Canal street, and proceeding on a regular elevation by a line which will end near the present surface at the intersection of Centre and Duane streets, with corresponding counter slopes on the intersecting streets according to the plans now preparing in the Street Commissioner's Office.

*Resolved*, That Cross street be closed from Chambers street to Reed street, and the ground divided between the adjoining owners.

*Resolved*, That Reed street be opened and extended to the proposed line of Centre street.

*Resolved*, That the grounds between Tryon Row and the Hall of Records be thrown open to the public and be made a part of Centre street.

JAMES BALLAGH.  
F. A. TALLMADGE.  
ROBERT SMITH.





**DOCUMENT NO. 50.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**MARCH, 23rd, 1835.**

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Resolution to furnish the Citizens with a sample of Water from the Croton. Laid on the table and ordered to be printed for the use of the Members.

**R. FISHER, Clerk.**

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Whereas the Commissioners employed to devise a mode of supplying the City with pure and wholesome Water, have, by their report accepted by the Common Council, declared that the only sure source of supply is the Croton River.

And whereas the Common Council have by resolution directed that a Poll shall be held to ascertain the sentiments of the Citizens upon the expediency of introducing such Water for their use.

And whereas it has "pleased the Almighty for good and wise purposes" to permit an infinite diversity of *tastes* to prevail among the Citizens.

And whereas it is alike the duty as it is the obligation

of a republican government to submit no question to the Citizens until it has placed the means of fully understanding it at their disposal.

And whereas it is impossible for the Citizens to know whether the Water of the Croton, will be grateful and desirable to their tastes, until they have tasten it.

*Therefore Resolved*, That the Water Purveyor be and he is hereby directed to cause a quantity of not less than four hundred gallons of the Water of the Croton, to be placed within each of the Wards of the City, and at the respective places of holding the Polls within them, upon each and every one of the days assigned for holding the Polls in the month of April. Such Water to be placed at the said places at or before 9 o'clock of the morning of each of the said days.

*Resolved*, That an amount not exceeding one thousand dollars, be and the same is hereby appropriated for such purpose.

**DOCUMENT NO. 51.**

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**BOARD OF**

**ASSISTANT ALDERMEN,**

**MARCH 30th, 1835.**

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Report of the Law Committee relative to amending the Law on the subject of Gun Powder—laid on table and ordered to be printed.

**R. FISHER, Clerk.**

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The Law Committee to whom was referred the annexed documents and report of the Law Committee of the Board of Aldermen,

**RESPECTFULLY REPORT,**

That they have considered the subject embraced in the petition, and the draft of the proposed law appended thereto, and are satisfied of the propriety of granting the prayer of the petitioners.

They therefore recommend a concurrence in the resolution proposed by the Committee and passed by the Board of Aldermen.

Respectfully submitted,

<b>HORACE HOLDEN,</b>	} <i>Law</i>	
<b>F. A. TALLMADGE,</b>		} <i>Com-</i>
<b>WM. SAM'L JOHNSON,</b>		

*March 30, 1835.*

The Law Committee having considered the petition of the dealers in Gun Powder, for the purpose of effecting an amendment through the medium of the Legislature, to that part of "an act to amend the acts heretofore passed for the prevention of Fires in the City of New York, passed April 20, 1830," which relates to said article of Gun Powder, and deeming the nature of the petition to be equitable and just—in conformity therewith the following draft of a law amendatory of the act aforesaid.

They also recommend the adoption of the following resolution :

*Resolved*, That the Counsel of the Board cause the written draft of a law to be presented to the Legislature, together with a suitable petition on that subject.

SILAS M. STILWELL.

G. HOPKINS.

*To the Honorable, the Common Council of the City and County of New York.*

The petition of the undersigned dealers in Gun Powder, assuming that the laws, from time to time passed by the Legislature of the State of New York, for the prevention of fires in the City of New York, so passed and enacted at the suggestion, and in conformity with the views, of your honorable body, respectfully represents, that, the article of Gun Powder, which is an important commodity in the trade of said City, is so restricted by the 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd 33rd, 34th, 35th, and 36th sections of "an act to amend the acts heretofore passed for the prevention of fires in the City of New York, passed April 20, 1830," as to prohibit the dealing in it by that portion of traders who sell their goods to the Merchants of the interior of our country, and of whose business this article is a legitimate part. And your petitioners firmly believing that, under certain modified restrictions, the law may be so arranged as not to impair

the public safety, at the same time to afford the trader the means of his just pursuits without a violation of the law, they respectfully solicit your aid in an appeal to the Legislature for such changes in said law as upon due investigation by your honorable body, may seem to you equitable and just in the premises.

For all the purposes of the import and export as well as the retail trade, the present law need not be evaded; but for the purposes of the jobbing trade, the requirements of the law must submit to daily violation or this part of the trade must be abandoned. On reference to the law you will observe that sections 24, 25 and 26, make it unlawful for any person or persons to have or keep more than 28 pounds of Gun Powder in any one house, store, ship, boat, &c. south of 14th street, and requires this quantity to be divided in four parcels of not exceeding seven pounds each, and such divisions to be kept in stone jugs or tin canisters. The penalty for a violation of these requirements being forfeiture of the Powder to the Fire Department, and a fine of one dollar and twenty-five cents for each pound of Gun Powder so forfeited. Section thirty makes it lawful for any Fire Warden to seize on any Gun Powder found in violation of the law, in the day time, for the benefit of the Fire Department.

The business of the Jobber is never to divide the contents of the original package, but in almost every assorted bill of goods he sells, are included one or two kegs of Gun Powder, which are ordered from the Magazine on the day of shipment and generally packed up in casks with coffee, pepper or spice, in order to render its transportation perfectly safe. It will at once be perceived that, in these cases, this article cannot be started out of the original packages and if for the purposes of the trade the convenience and expense did not forbid it, the additional hazard attendant upon opening the kegs and emptying the Powder should. It is also inconsistent to suppose that a vessel

lying at a wharf receiving freight could haul off 300 yards to receive a keg of Powder.

Your petitioners would in this view of the case suggest a change in or an addition to the law by which it would be lawful for a trader to receive in his warehouse small quantities, say, in no case to exceed five quarter casks at one time, of Gun Powder, for the purpose of packing in additional packages or for delivery, but liable to all the present penalties if retained in such ware house more than two hours between the rising and setting of the sun. And further that the river and coasting vessels may be permitted, on the last day of their lying at the wharf, to receive the article on freight, said vessels and owners to be subject to the present penalties of the law if they remain within 300 yards of the wharf after sunset, any day, with Gun Powder on board.

Your petitioners would further represent, that although the preservation of the insurance of the merchant is an unbounded safeguard to the public and though no damage has ever occurred, to their knowledge, to person or property, in the city of New-York, from the dealing in Gun Powder, yet they do not request any mitigation of the heavy penalties consequent upon the violations of a law, neither do they desire that the law in question, should be deprived of any of its wholesome guards for the public safety; but retaining those guards, they solicit your aid in the procurement of such a change as will allow them, with all possible prudence, to pursue the course of their regular business and preserve the law inviolate, and in duty bound, &c.

Ralph Mead, & Co.  
J. & C. J. Manning,  
H. & J. Bailey,  
Mead, Rogers & Co.  
Suydam, Sage & Co.

Isaac W. Concklin & Co.  
Brush & Corwin,  
Abraham Meserole,  
P. G. Arcularius & Co.  
E. Kellogg,



J. W. & J. D. Aymar,	Joseph Ireland & Son,
John & B. Ketchum,	Wilson J. Hunt,
Mead, Stafford & Co.	William L. Roff,
Stanton & Starkweather,	Voorhees & Wilber,
Phœnix & Co.	F. Ayres & Co.
Pomeroy & Bull,	John Johnson's Sons,
Lyman Betts,	J. & A. Lowery,
P. & N. Dilleko,	E. B. & W. H. Sackett & Co.
Suydam & Wilson,	J. T. & C. Storm,
Chas. & R. Wardell & Co.	Brown & Betts,
Mc Coon & Sherman,	Evans & Carman,
J. P. Harper,	Talmage J. Van Pelt,
Stephen S. Chamberlin,	Robb & Hasbrook,
Stokes & Baker,	Holmes, Bailey & Co.
Johnson, Son & Co.	Gilbert Walker & Co.
Jeromus Johnson,	Wood, Grant & Co.
Joseph Martin,	Benedict & Wetmore,
Bird & Cock,	Conover & Labagh,
E. W. Nichols,	P. H. & W. H. Titus,
Smith & Davison,	Manning & Hoffman,
Platt & Harvell,	Mulford, Martin & Co.
G. A. Kirtland,	Wm. Van Antwerp & Co.
John W. Coggeshall,	Warren & Brinknall,
Jessup & Beers,	A. H. & J. Green,
Smith & Conklin,	George W. Chapman,
A. Hubbard & Co.	James Scott,
Townsend & Stanton,	Raynor & Pond,
Edward G. Hill & Co.	Thomas Underhill,
Slate, Gardiner & Howell,	Beam, Lyon & Palmer,
H. & W. W. Green,	Thos. Morrell,
Richard S. Williams & Co.	Crane & Freeborn,
Spencer & Sharpe,	B. Osborn & Co.
W. & S. Woodhull,	Vanderbilt & Hanford,
David Wood,	Beebe & Wade,
Smith & Rudd,	Stephen Hendrickson,
Herriman & Nash,	Hendrickson & Wood,

Suydam & Reid,	Jno. J. Moore,
J. C. Winans,	Van Brunt & West,
A. R. Winans,	Saml. G. Smith,
pr B. M. Whitlock,	Wisner, Gale & Co.
Lawrence & Jaggar,	Whitney & Storm,
Harper, Arcularius & Co.	Augustin Wynkop & Co.
Oakford & Baldwin,	Kimberly & Co.
Roger W. Sanford,	Ransom & Spelman,
Mills & Denison,	Randolph & Brooks,
Adams & Howe,	Oliver Corwin & Co.
Rapelye & Purdy,	John Toale,
Mercein & Dains,	Mount, Son & Co.
Smith, Mills & Co.	Lyrus Johnson,
Lee, Dater & Miller,	Baker & Moore,
Williams & Harriman,	Chas. H. Judson,
Smith & Town,	C. S. Tenett & Co.
Wm. C. Taylor & Co.	Billing Mathews,
Wm. McCall,	Henry Marvin,
William Kemble,	Henry Waring & Son,
pr Wm. McCall, att'y.	Mitchell & Nielson,
W. Young,	H. Hoppock, & Co.
Clark, Haring & Co.	D. & J. Hustace,
Birch & Nichols,	B. Blossom & Field,
Crooke, Suydam & Co.	Isaac Van Cleef,
Crooke & Fowks,	W. E. & W. Craft,
Henry Wyckoff & Co.	H. B. Case,
John Van Nostrand & Co.	Barker & Morgan,
Tallmadge, Davis & Berry.	John Meserole,
VanVleit & Douglass,	Chas. R. Taylor,
W. & L. Wyckoff,	Thos. L. Van Norden,
Higgins & Doremus,	Chas. J. Howell,
Theophilus Civill,	Jn. W. Taylor,
Stephen Wray,	Denison & Beldens,
Henry Barger,	C. & L. Denison & Co.
Wyckoff & Brown,	P. Embury & Co.
Hartman Vreeland,	Coursen & Co.

## AN ACT,

To amend an act, entitled "an act to amend the acts heretofore passed for the prevention of Fires in the City of New York, passed April 20, 1830."

[PASSED.]

The People of the State of New York represented in Senate and Assembly: do enact as follows—

Section 1. It shall not be lawful for any person or persons to have or keep, otherwise than subject to the requirements and penalties of "an act to amend the acts heretofore passed for the prevention of Fires in the City of New York—passed April 20, 1830," in conjunction with this act, any Gun Powder in any house, store, building or other place in the City of New-York to the southward of a line running through the centre of Fifteenth street.

Section 2. It shall be lawful for the dealers in Gun Powder in the City of New York to receive this article in their stores or ware-houses, in the day time only, for packing in additional packages and immediate delivery. But subject to all the penalties of section 26 of said act of April 20, 1830, if permitted to remain in any such stores or ware-houses more than two hours in the day time, as aforesaid.

Section 3. It shall be lawful for river and coasting vessels to receive Gun Powder or freight, on the last day of their lying at the wharf in the City of New York, said vessels and the owners thereof to be subject to all the penalties of section 26 of the aforesaid act of April 20, 1830, if they remain within three hundred yards of the wharf after sunset any day with Gun Powder on board.

Section 4. The aforesaid act of April 20, 1830, in all its parts and requirements which ~~are~~ not inconsistent with the provisions of this act, shall, and the ~~same~~ does hereby remain in full force and effect.

**DOCUMENT NO. 52.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**APRIL 1st, 1835.**

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Communication from his Honor the Mayor, returning resolution to ask of the Legislature a law requiring the Registry of Votes. Referred to Committee on Laws and ordered to be printed.

**R. FISHER, Clerk.**

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**MAYOR'S OFFICE, NEW-YORK, April 1st, 1835.**

*Gentlemen of the Board of Assistant Aldermen.*

A resolution of the Common Council proposing to ask of the Legislature the passage of "A law requiring a general Registry of Votes for the City and County of New York, and prohibiting every person from voting at any election in the said City and County whose names has not been previously registered according to law," together with the report of the Committee and the proposed draft

of a law on the subject have been submitted to me, but ■ I cannot approve of the passage of such a law, I embrace the earliest opportunity to return it to that branch of the Common Council in which it originated, with my objections thereto.

One provision of the Constitution of this State adopted in Convention on the tenth of November, 1821, and subsequently confirmed by the popular will, guarantees the right of suffrage to every free white male citizen of twenty-one years of age, with certain qualifications and restrictions, not one of which contemplates, or relates to a Registry of Voters. The qualifications in the first section of the second article are specific and precise in terms, and cases are cited in the second section in which laws may be passed excluding citizens from the right of suffrage. It is provided however in the third section that "Laws shall be made for ascertaining by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established." And it is under this clause, ■ I understand, that the authority is claimed to justify the passage of the proposed law. I do not believe that the framers of the Constitution intended by this provision, to invest the Legislature with power to make laws which would materially affect the fundamental principles of the right of suffrage.

If however, under the third section of the second article the power may have been claimed to impose the proposed restrictions, it is believed that the language of an amendment of the Constitution adopted and ratified by the people in 1820, will effectually put that question to rest. The amendment is in the following words :

"That so much of the first section of the second article of the Constitution as prescribes the qualification of Voters other than persons of color, be and the same is hereby abolished, and that the following be substituted in the place thereof; every male citizen of the age of 21 years, who shall have been an inhabitant of this



"State ~~ann~~ year next preceding any election, and for the  
"last six months ~~n~~ resident of the County where he may  
"offer his vote, shall be entitled to vote in the Town or  
"Ward where he actually resides, and not elsewhere, for  
"all Officers that now are, or hereafter may be, elected  
"by the people."

Here we find that the very section of the Constitution which originally defined the character of legal Voters, and which by the variety and extent of the qualifications it embraced, might have been deemed to require an explanatory law, has been abolished by the free will of the people. The third section which gives the Legislature power to make laws for ascertaining by proper proofs the right of citizens to vote, is in terms connected with the first, and it is a fair presumption that this provision was introduced as a necessary adjunct to the section which has been annulled. If this be so, there are strong grounds for the opinion that the two should fall together, and the illegality of the proposed measure would thereby become established, but to settle the question as to the intent of the framers of the Constitution, I would refer to the proceedings of the Convention by which it will appear, that the third section as reported by the Committee on the 12th of September, was in the following words:

"Laws shall be made for ascertaining by proper proofs,  
"the citizens who shall be entitled to the right of suffrage,  
"hereby established. The Legislature may provide by  
"law, that a Registry of all Citizens, entitled to the right  
"of suffrage, in every Town or Ward, shall be made at  
"least 20 days before any election; and may provide,  
"that no person shall vote at any election, who shall not  
"be registered as a citizen qualified to vote at such elec-  
"tion."

On the 8th October following, all that part of the third section giving the Legislature power to pass laws requiring the Registry of Votes, was expunged by a decisive vote;

it was urged in debate by the advocates of the clause in question "that there could be no danger or impropriety "in giving to the Legislature the power of exercising ■ "a discretion to prescribe in the mode that the report had "suggested," &c.

But the result showed that the Convention would not give that power to the Legislature.

It cannot be said to have been ■ hasty decision on the part of the Convention, for the part stricken out had been reported by the Committee nearly a month before, and the part of the third section not stricken out is the same ■■ it now stands in the Constitution, and it does not appear to have occurred to a member of the Convention, that the Legislature would possess the power to require the Registry of Voters, after that part of the section giving the authority was expunged.

I am of opinion therefore that the proposed law, if enacted would be unconstitutional.

C. W. LAWRENCE.

## **DOCUMENT NO. 53.**

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### **BOARD OF ASSISTANT ALDERMEN**

**APRIL 6th, 1835.**

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Report of the Special Committee on the resolution to memorialize the Legislature on the subject of employing State Prison Convicts. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee to whom was referred the annexed resolution proposing that it be referred to a Special Committee, to inquire into the expediency of memorializing the Legislature against the employment of State Prison Convicts in the mechanic arts, except so far as is necessary to supply the immediate wants of the respective prisons,

#### **RESPECTFULLY REPORT,**

That they have examined the subject with an anxious desire to ascertain the extent of the well grounded complaints of the mechanics of this state, and particularly of this city, against the system of employment adopted at our various State Prisons, and to suggest if possible some remedy for this increasing evil.

The first question that naturally presents itself is, **as to** the effect of the system of discipline or employment adopted at our State Prisons upon the mechanic trades.

By a reference to the "report of the Commissioners appointed under the act concerning State Prisons," made on the 29th of January last, it appears that a very large proportion of the Convicts are "contracted out," or their time and services sold to contractors, for such prices, and to pursue such business or mechanic trades as the Superintendants, or the Inspectors of the prisons could obtain, the great and primary object being to relieve the state from expense by such employment, and by a further refe-

rence to that report it will be perceived that the convicts are employed at almost every species of mechanic arts, and for a contract price per diem, ranging from fifteen to 60 cents, a large proportion at 25 to 30 cents.

The object of the state or its offices, being by such employment to meet the expenses incident to the support of the felon solely, and their fare being of the cheapest quality, your Committee would inquire if it is possible for the free mechanic, who has not merely himself, but often a growing family to sustain and educate, to compete with the contractor, who is enabled at all times to supply the market, or at all events, undersell his hard working neighbor by means of his contract.

To illustrate—by the report it appears that the contractor pays three shillings per day to the state for each able bodied man who is competent to cut stone. The mechanic pays to his journeymen at least twelve shillings per day, for the same labor, and the same employment, upon a sale of the manufactured article, it is obvious that the contractor realizes three hundred per cent more than the free mechanic for the same labor, and he is necessarily compelled to abandon his business, or be continually subject to so unfavorable a competition.

If the contractor is not enabled fully to supply the demand of the market, still the effect of disposing of his manufactures at a reduced rate necessarily reduces the market prices of the article and tends to destroy that fair competition which sustains the mechanic interest.

The pernicious effect of this system of employment is the more sensibly felt, from the circumstance that it is not limited to any particular branch of manufacture, but from the report of the Commissioners, it appears extends to almost all descriptions of manufactured articles. It is not deemed necessary by the Committee to be more definite, in showing the injurious effect of this system of prison economy, if it were they would instance the effect produced in this market by the contractors manufacture of Hats and Shoes, articles of constant and increasing demand.

Your Committee deem that the great increase of popu-

lation in our state, and the corresponding increase of crime and necessarily of convicts, strongly admonishes us that the evils complained of will continually augment.

It cannot have escaped the observation of this Board that a great excitement exists amongst the mechanics in relation to this subject, and your Committee cannot avoid the conclusion that there is real cause for dissatisfaction.

In the report of the Commissioners above alluded to, it is conceded that from their "personal examination, and from evidence taken, in *some articles*, and to *some extent*, this complaint is well founded and ought to be relieved."

Your Committee cannot discover that the cause of complaint if it exists at all, is in any way limited or diminished, by applying this description of felon labor to any mechanic trade, however limited in its exercise in our country. The principle contended for by the parties aggrieved, and which your Committee believe to be sound, is that the convicted felon is consigned to a prison as a punishment for his offence and not for the purpose of adding to the coffers of the state, equally illusory is the doctrine asserted by the Commissioners that "common justice requires that convicts should contribute by their labor to their own support," when that very employment impoverishes the honest mechanic.

If the convict is to be employed at all in the mechanic arts, let it be limited to those trades and to that extent that their immediate necessities require. Let them manufacture their own cloths, shoes, &c. and the mechanic interest will in no way be injuriously effected by it.

The Committee do not deem it necessary to dwell upon the contaminating effect of felon associations with mechanics, after their liberation, it necessarily degrades, and its moral effect is too obvious to require any illustration.

But the inquiry naturally arises, what remedy can be applied!

We have before remarked that the object of imprisonment is punishment, and we will further add prevention of crime.

If therefore criminals are to be employed at mechanic



trades, with ■ sufficient and comfortable subsistence, punishment loses much of its dread, and the consequence is what we almost daily experience ; the liberated felon repeats the offence, and upon a second conviction the tear of contrition is substituted by the smile of contempt or indifference.

Your Committee believe that the imposition of severer punishment, such as solitary confinement, with occasional resort to employment, &c. well guarded attentions to the health of the convict, would be vastly more effectual in the prevention of crime, diminishing essentially the *term of confinement*, that the present mode of prison discipline which can scarcely be called irksome to many of the convicts.

Can any one doubt that three months of solitary confinement would be more dreaded than as many years of ordinary imprisonment, when the mind is employed, and bodily labor to which they are subjected, almost removes the idea of imprisonment.

Your Committee in accordance with the above views, respectfully recommend the adoption of the following resolution :

*Resolved*, That the honorable the Legislature, be respectfully requested to direct the discontinuance of employing State Prison Convicts in the mechanic arts, and that the punishment for offences, punishable by imprisonment in the State Prison, be changed to solitary confinement, for such limited time, ■ the said Legislature in their wisdom may judge proper, all which is respectfully submitted.

F. A. TALLMADGE,  
JOHN DE LAMATER,  
JOHN W. LAMB,  
ROBERT SMITH.

*Resolved*, That it be referred to a Special Committee to inquire into the expediency of the Common Council, memorializing the Legislature of this state, against the employment of State Prison Convicts, in the mechanic arts, except so far as is necessary to supply the immediate wants of the respective prisons.



**DOCUMENT NO. 54.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**APRIL 6th, 1835.**

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Report of the Finance Committee of the Board of Assistants on the petition of Joseph Martin, and on the report of the Board of Aldermen thereon, for a Water Grant at the foot of Montgomery street, East River. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Finance Committee to which was referred the annexed report of the Finance Committee of the Board of Aldermen upon the application of Joseph Martin, for a grant of soil under water, beg leave to

**REPORT.**

That the application for a grant of this class necessarily admits a right or power in the Corporation to refuse. If this be, and it is presumed it will not be doubted, it involves an equal right of controlling the grant, if accorded

in such mode ■■ may be deemed the most conducive to the public benefit. To this all minor interests should be made to yield.

In the commerce of our Port *all* our Citizens have ■ direct interest, and this can be best promoted when the means of giving facility and accommodations to commerce are under the exclusive control of the direct representatives of the Citizens, in the Common Council. The right of wharfage and its attendant, that of regulating that class of property as being in and with the Corporation, is that the most essentially conducive to facilitating the trade of the harbor, and should thus in the opinion of your Committee never be permitted to pass from the Corporation. The Committee upon this point dissent with the Committee of the Board of Aldermen, and thus beg leave to offer ■■ ■■ amendment to the resolution passed by that Board, to strike out the words "in conformity with the foregoing "report," and to add "as prayed for by his memorial "dated the 13th December last, he covenanting to pay "the yearly rent of one dollar and fifty cents per running "foot, and also to make and continue Montgomery street "its whole width to the permanent line or southerly side "of South street. The Corporation reserving for its use "and advantage all the land thus to be gained from the "water westwardly of the easterly side of Montgomery "street and southwardly of the northerly side of South "street, with all the rights of wharfage, dockage, or craneage."

Respectfully submitted,

LAMBERT SUYDAM,	} Finance Committee.
WM. SAM'L JOHNSON,	
J. J. BOYD,	

The Finance Committee to whom was referred the petition of Joseph Martin for a Water Grant in front of his premises, at the foot of Montgomery street, East River,

**RESPECTFULLY REPORT,**

That the petitioner sets forth, that he is the owner of the land on the easterly side of Montgomery street, and extending therefrom along the line of Front street one hundred and five feet ten inches: and asks for a Water Grant for the whole width thereof, extending into the East river, as far as the permanent line of the City.

By the present plan of the City, South street in its course westwardly from Corlear's Hook, is interrupted at Montgomery street; on the westerly side of which, Front street forms the exterior line of the City, for a considerable distance. Your Committee are of opinion, that whenever the land between Montgomery and Gouverneur streets, and Front street and the permanent line, shall be gained from the river, public convenience will require that Montgomery street be carried out its whole width, to the same line; and they accordingly propose that it be made one of the conditions of the grant now asked for.

Your Committee recommend that a grant be prepared and executed to Joseph Martin, the petitioner, for the soil under water, and to be gained out of the East river between Montgomery street and the property heretofore granted to the petitioner, and between Front street and the permanent line of the City; he covenanting thereby to pay the yearly rent of one dollar and fifty cents per running foot, and also, to make and continue Montgomery street its whole width to the permanent line: and, in consideration of the additional expense involved in the last mentioned condition, that he be entitled to all the rights which the Corporation may legally claim in the receipt of any wharfage which may accrue on the westerly side and end of Montgomery street, aforesaid,—the other covenants, conditions and reservations in the grant now to be made, to be in all respects like those of the grant hereto-

fore made to the said Joseph Martin, for the easterly half of the block of ground between Montgomery and Gouverneur streets, dated 23rd March 1829.

The following resolution is offered for adoption :

*Resolved*, That the Counsel of the Corporation be and is hereby directed to prepare and cause to be executed to Joseph Martin a grant for the soil under water, and to be gained out of the East River, between Montgomery and Gouverneur streets, in conformity with the foregoing report.

Respectfully submitted by

H. VAN WAGENEN,  
ROB'T C. CORNELL,  
JOHN BOLTON,

*Finance Committee, Board of Aldermen.*

New-York, 16th February, 1835.

*To the Corporation of the City of New-York.*

Your petitioner Joseph Martin shows that he is the owner of that "certain lot of land situate in the 7th Ward of the " City of New-York, bounded westwardly by Montgome-  
" ry street, northerly by the north line of Front street,  
" 105 feet 10 inches, and extending thence southerly con-  
" taining the same width to the line designated on a map  
" of said premises, made by Daniel Ewen, City Surveyor,  
" dated February, 1832, and filed in the Office of the Re-  
" gister of said City, as line of the Wharf, which said line  
" is parallel with the south line of Front street, and is  
" distant 20 feet therefrom, and extending also the same  
" width into the East River as far as the grants of the  
" Corporation shall extend."

Your petitioner requests that the Mayor, Aldermen and Commonalty of said City, will grant to him a Water Grant in front of his said premises, and extending out into the East River as far as the permanent line of said City. A map of said premises is hereto annexed.

JOSEPH MARTIN,  
Per J. P. Martin.

*New-York, Dec. 13th, 1834.*

**DOCUMENT NO. 55.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**APRIL 6th, 1835.**

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Report of the Committee on Arts and Sciences and Schools, on the petition of the Mechanic's Institute. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Arts and Sciences and Schools, to whom was referred the memorial of a Committee of the Mechanic's Institute, beg leave respectfully to

**REPORT,**

That the Mechanic's Institute was incorporated April 24th, 1833, an association in and for the City of New-York.

The objects of said association are to diffuse knowledge and information throughout the mechanical classes, to found lectures on natural, mechanical, and chemical philosophy and other scientific subjects, to create a library

and museum for the benefit of mechanics, and to establish schools for the education of their youth in all the various arts of mechanism. As a means of enabling the Institute more fully to attain the ends proposed they ask by the memorial which has been referred to your Committee, for a grant of land upon which to erect a building which shall contain the requisite apartments for schools, lecture room, a museum of models, and objects of importance, necessary for the Institution.

It has been the practice of our Republican Government whether general or local, to foster every Institution the design of which, is founded on the basis of instructing our citizens as the sure and effectual means of attaching them to the practice of those virtues which can serve to give permanency to a republic. The Committee deem the application now made evidently laudable and proper, as the present lectures of the Institute are so numerous attended that the rooms in the basement of the City Hall, their present location were found too small to accommodate the audience, and the officers have therefore been obliged to select more commodious rooms in Clinton Hall, and as the object of the spirited patrons of the institute is to allure the apprentice and the young artizan away from the haunts of vice and dissipation, and instil into their minds the principles of science and the practice of virtue, your Committee are of opinion that the city government should not hesitate to second their disinterested exertions. While the various charitable institutions of this city have received liberal appropriations from the city treasury, this valuable institution which now appeals for aid, cannot in the opinion of your Committee be refused without a serious imputation on the justice and good feelings of the Common Council. The intelligence of the producing classes is the most sure foundation on which the Councils of the city and the nation can depend for a proper dispensation of political power, and your Committee cannot be-



lieve that this first and only application of that numerous and influential body of our fellow citizens will be met with a denial.

The Committee after having taken into consideration the lands belonging to the Corporation, have come to the unanimous conclusion that the most appropriate place, will be that portion of the arsenal grounds fronting on Elm and White streets, when the exchange is made with the state government. The front on Elm street is sixty seven or eight feet, and the Committee have proposed to give one-half of the block on White street, allowing fifteen feet for the opening of Centre street, on condition :

That the Institute shall within                      years from the date of possession erect upon the premises a substantial brick building of not less than three stories in height.

That the said building and premises shall at all times and forever be used and appropriated to the purposes specified by the act of 24th April 1833, incorporating the Mechanic's Institute of the City of New-York and to none other.

That if the said building and premises should at any time be used for other than the purposes above designated, it shall revert to the Corporation.

That upon such contingency occurring, the said property shall be held in trust by persons appointed by the Common Council for the purposes specified by the act above referred to.

With these views your Committee recommend the adoption of the following resolution :

*Resolved*, That when and as soon as the property possessed by the state shall be ceded to the Corporation, that part on the north side of White street, agreeable to the report be granted to the Mechanic's Institute.

JAMES BALLAGH,	}	<i>Committee on Arts and Sciences, and Schools.</i>
J. J. BOYD,		
HORACE HOLDEN.		

Extracts from the minutes of a meeting of the Mechanic's Institute of the City of New York, held Feb. 3rd 1835.

*Resolved*, That an especial committee be appointed to memorialize the Common Council for lots of ground on a location for a building, and that they be empowered to memorialize the state Legislature for an endowment to erect said building.

*Resolved*, That the committee consist of five, and that they be appointed by nomination. Jonas Humbert Jr. Samuel Carter, Henry Durell, Daniel Fanshaw and Charles S. Bell, were nominated and appointed such Committee, and William Ballard was afterward added.

At a meeting held March 3rd 1835, it was resolved that the Committee have power to increase their number to twenty members.

We, certify that the above are true extracts from the Minutes.

GEORGE BRUCE, *President*.

HENRY CUNNINGHAM, *Secretary*.

New York, March 31, 1835.

**DOCUMENT NO. 56.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**APRIL 8th, 1835.**

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Report of Street Committee on the Communication from the Street Commissioner, in relation to a mode practised in the cities of the north of Europe by substituting wood instead of stone for the street pavements. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Street Committee to whom was referred the annexed communication from the Street Commissioner, in relation to recent information acquired as to an improved mode of Street Paving, by the use of blocks of wood placed endwise on the surface of the street, ■ a substitute for the ordinary stone pavement,

**RESPECTFULLY REPORT,**

That on a matter of such very deep interest any additional lights offered ought to be carefully examined and if they appear supported by sufficient testimony, should be properly tested.

From the statement furnished by the Street Commissioner it appears, that he has recently been made acquainted, with a mode of paving for some years past practised in the north of Europe, which is stated to be superior to the ordinary method of pavement by the round or pebble stones.

It consists in the use of blocks of wood, cut to ■ hexagonal form of twelve inches in depth and nine inches in diameter, placed endwise on the street, and resting on a

stratum of broken stone or other suitable material to prevent unequal settlement ; and with the spaces or joints filled with melted pitch and covered with a thin coating of gravel.

Persons who have witnessed the use of this method state that in practice it has been found to answer an excellent purpose, presenting a perfectly fair and smooth surface exceeding pleasant, and convenient for the travel of wheel carriages ; not liable to become clogged with mud or dirt—possessing great tenacity and durability, arising from the peculiar manner of placing the wood, and capable of resisting the effect of winters much more severe than those of our climate.

With a view of ascertaining its probable cost, the Committee instructed the Street Commissioner to advertise for proposals for furnishing blocks of the size and form above mentioned, according to a model which has been made and deposited in his office.

Various propositions have been received on this advertisement—the lowest offer of which is to furnish them of hemlock wood, cut to the required size and figure at seven cents each—and at this price the Committee are of opinion it would be advisable to try the experiment on some very conspicuous situation where the amount of travel would be such as to subject it to the most severe test ; and in this manner very fully ascertain what advantages are to be gained from its use, and such a situation they think, will be found in Broadway, from Warren to Chambers street, being a distance of about two hundred feet in length ; and the width of the proposed surface to be covered might be estimated at thirty feet, leaving the present pavement on a space of five feet on each side next to the curb stones, which is out of the more immediate line of travel.

This would form a surface equal to six hundred and sixty-seven square yards ; now the blocks of the proposed size will take twenty-five to the yard, so that the number required would be sixteen thousand six hundred and seventy-five, which at seven cents each, would cost eleven hundred and fifty-seven dollars and seventy-five cents,

with a view of endeavoring to ascertain what would be the most effectual mode of forming the bottom to support the blocks, the Committee propose that the above mentioned space of two hundred feet, should be divided into four equal parts of fifty feet each,—that the first fifty feet shall be left of the natural sand bed—the second with a layer of broken stone one foot deep—the third with a pebble stone bottom, and the fourth to be laid with broken flag stones—in this way the greatest diversity will be given, and the relative resistance of each mode more fully shown.

It is computed that the additional expense of preparing the bottom as above described, together with the cost of cartage and all other incidental expenses will not exceed eight hundred dollars, making the computation for the whole not to exceed two thousand dollars.

This it is true, is much more than the amount required for the same quantity of surface of the common or cobble stone pavement, but it is also fully known that this latter mode is perpetually requiring repairs, and from all the experience we have had there does not appear to exist any reason for believing that it can be rendered permanent, where in situations like Broadway, it is incessantly subjected to the wear and tear produced by the countless number of carriages rolling over its surface, so that if the representations made in respect of the durability of the block pavement by those familiar with it in other countries be correct, it still may in the end be the cheapest and most economical.

Yet these results can only be fully shown and ascertained by direct experiment—and the Committee are of opinion this experiment ought to be fairly tried, and recommended for the consideration of the Board the following resolution:

*Resolved*, That a part of Broadway between Warren and Chambers street be paved with blocks of wood according to the Russian method and as described in this report, and that the expense thereof not exceeding two thousand dollars be charged on the general appropriation, for re-



pairing streets for the present year, and the Street Commissioner is directed to take the proper measures for carrying the same into effect.

WM. SAM'L JOHNSON, }  
SAMUEL PURDY, } *Street*  
ROBERT SMITH, } *Committee.*

*New York, April 8th, 1835.*

The Street Commissioner respectfully states to the Common Council, that nearly two years since a communication was made to the then Corporation, proposing to substitute squares of wood as a material for paving the street instead of stone ; and various considerations were urged in its favor by the person then making the application.

This matter was referred to the then Street Committee, who endeavored to collect facts in relation thereto, but in consequence of the extreme great distance of the places where it is said to have been tried, viz : in Russia no positive information was obtained, and the Committee was unable to report thereon. Very recently however the Street Commissioner has through the instrumentality of one of the most respectable and public spirited citizens, been favored with an interview with a gentlemen recently from St. Petersburg, in Russia ; who has an intimate knowledge of the methods pursued in laying down the pavement constructed of wood, which is represented as being made without difficulty and with as much durability as the stone pavement, he has very kindly communicated to the Street Commissioner all the details of this mode of construction, and a model thereof is made and can be examined in the office. Any lights which can be attained in respect of this very difficult and important subject are exceedingly desirable, and all suggestions made in reference thereto, are deserving of very careful and deliberate examination, and with this view the Street Commissioner requests this communication may be referred to the Street Committee for their investigation, and report thereon.

GEORGE B. SMITH,  
*Street Commissioner.*



**DOCUMENT NO. 57.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**APRIL 13th, 1835.**

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Report of the Street Committee of the Board of Assistants on sundry propositions for widening William street from Maiden Lane to Pearl street, and extending the same through from Frankfort to Chatham street. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Street Committee of the Board of Assistants to whom was referred back the petition of E. Holbrook and others, for the widening of William street, and also their own report on that subject, of the 6th day of August last past, with instructions to inquire into the expediency of widening William street to a width of not less than forty-five feet from Wall street to Maiden Lane, and from thence to Frankfort street to a width of sixty feet or some other width not less than fifty feet, and extending the same of such a width through to Chatham street, and

also the widening of William street from Frankfort to Pearl street. And to whom was also referred the petition of Allison Post and others on the same subject, most respectfully.

### REPORT,

That the original petition upon which the proceedings of this Committee, under the reference thereof from the Board of Assistants have been founded, asked for the widening of William street from Wall street to Maiden Lane only, and that the widening should be made on the westerly side so as to make it forty feet wide at Wall street and forty-five feet wide at Maiden Lane. In the report of this Committee above mentioned, they expressed their views on this subject, as contained in Document No. 17 of this Board, and recommended the instructions above cited. Simultaneously with the making of said report was presented the petition of Allison Post and others hereto annexed, praying that the street be widened to forty-five feet in width from Wall street to Maiden Lane, and from thence to Chatham street to a width of fifty feet.

The questions presented on the proposed improvements of William street have very much embarrassed this Committee and they now present their views on the subject with great diffidence. They have three several times heard the parties when called before them by public advertisement; and they have carefully examined the subject and weighed all the allegations made to them either orally or in the remonstrances and papers hereto annexed.

Under the authority conferred on the Committee and Street Commissioner by resolutions of both Boards, passed in October last past, (see Doc. No. 39 p. 335 of Assistants) they have obtained an estimate of the damages, which will be occasioned by the proposed improvement; but the Commissioners made no estimate of the benefits to property, to which it would give rise. The Commis-

missioners returns are hereto annexed, showing an amount of damages by widening the street to fifty feet from Maiden Lane to Chatham street as follows :

In Buildings,	\$93,625	
Land,	221,933 99	
	<hr/>	\$315,558 99
And to 60 ft of, to Buildings,	124,525 00	
Land,	338,373 7	
	<hr/>	\$462,898 7

This estimate is made on the proposal to cut the street on the east side, which the Committee from an inspection of the maps thought would be the least expensive ; but on the last hearing of the parties in interest by the Committee, it seemed to be agreed amongst them all, that cutting on the west side would be least expensive ; and most of them appear agreed that the cutting should be made on that side, if made at all.

So much of the matter referred, as relates to widening the street from Wall street to Maiden Lane, has been disposed of by this Board, on the report of the Special Committee in Document No. 35. The improvement from Maiden Lane to Chatham street, and from Frankfort to Pearl street, is therefore all that is left for consideration of this Committee.

The questions here arise, 1st, whether the street ought or ought not to be widened to Frankfort and Pearl, and opened into Chatham ? and if so, 2nd, to what width the street should be widened ?

1st. Ought the street to be widened ? In a report lately made by this committee on a proposed continuance of Bond street, the improvements of streets are divided into three classes, namely : 1st. Those the benefits of which are solely of a public character\*\*\*producing no sensible benefit or damage to individuals. 2nd. Those the benefits of which are solely private, affecting the interests of individuals, and 3rd. Those which partake of the mixed

character of the two other classes. Cases of the first class can but seldom occur, but still they may occur. Those of the second class are the most frequent, and such in the opinion of this committee was the case of Bond street.

The present seems to be one of the third class. This subject has been presented to the attention of the Common Council, by individuals, who ask the action of the Common Council, because they believe that their property on the street will be enhanced in value, by widening the street; and they express their belief that a widening of 50 feet in width will thus enhance the value of their property. The street now varies in width from 33 feet 2 inches, to about 37 feet, but is generally from 35 to 36 feet wide. It seems to the committee that the general opinion of the owners of property is that the street ought to be widened for the interest of the property holders, but such opinion is not universal. Some of those in the neighborhood of Maiden Lane zealously oppose the widening of it at all, and insist that the rents their property now command cannot be enhanced by any widening of the street, that the street is now of a sufficient width for retail business and of course is sufficient for a wholesale or jobbing business. But it is to be observed that this portion of William street has advantage of the width of Maiden Lane at its elbow, and that opposition to the widening of the street weakens as we advance from Maiden Lane.

The Corporation of the Dutch Reformed Church have heretofore opposed this improvement, on the ground that it will injuriously affect the lessees of their lands on William street; and also take off the front of their church. The committee cannot say that this opposition is withdrawn, but as their leases mostly expire in May 1836 and the street probably will not be ordered opened before that period, the first objection seems to be disposed of.

In the opinion of the committee a large majority of the property holders likely to be seriously affected by the pro-

posed widening appear in favor of it. But still not without so strong an opposition, that on the principles acted upon in the report on Bond street, the committee would be compelled to advise against the improvement, if other considerations did not affect the question, than those of individual interest.

All parties who have appeared before the committee seem to them to unite in the opinion that an additional thoroughfare is needed to the eastward of Broadway to relieve it of its present and daily increasing throng of carriages and passengers. And no one contends that any other than William street should be made such thoroughfare in preference; but they do contend that its being made a thoroughfare, will be an injury to the property. This Committee is strongly impressed with the necessity of such an additional thoroughfare for the purpose aforesaid, and also for other reasons. This city is rapidly increasing in population, and on a ratio unprecedented. The shape of the city is a triangle; it is now crowded with population at its acute angle formed by the junction of the great rivers which bound it. The meeting of those rivers, renders the point formed between them and thus jutting into the harbor the natural location for the *commercial* business of the city, and the immense amount of labor and employment of every kind, our commerce, as distinguished from our trade, manufactures and mechanic arts give rise to. It is a matter of great consequence, that the different places of business arising from our commerce and trade should be near together; and being now so fixed they should be so continued. As this portion of the island is now so occupied, the increasing population must stretch northward for places of residence, and the greatest facilities of communication will be required, and must be afforded, between the places of residence and places of business of the citizens. To accomplish this the thoroughfares must be widened to admit an easy passage for the increas-



ing flow of people and carriages, and they must be increased in number as well as in width. A liberal policy will act in anticipation of the demand. The interest of the upper wards require these thoroughfares for the convenience of their inhabitants, and the interest of the lower wards require them to retain the localities of business, and the interest of all require them for the benefit of our trade and commerce and the business generally which is the mother of the magnitude of this metropolis, and the source of her wealth. Widening William street to Pearl street, and connecting it with Henry street, (as may hereafter be done) will open the 7th, 10th, 13th, and 11th wards to Wall street—extending it to Chatham street, will unite it with East Broadway and the Bowery ; and it will unite with Center street and thus communicate directly through the 6th, 14th and 15th wards, with the 12th. It in fact will form a second mouth to the funnel which is formed between Henry street and Broadway, and relieve the pressure in Broadway below the Park and in the whole of Chatham street, and save the necessity of widening those streets. These are considerations of great public concern; and when considerations of public interest enter into the questions on ordering improvements, private interests must bend to the public pressure, and those objections, which in cases of improvements for private benefit would be controlling, must yield to the greater power of the public demands. The objections before stated, as made by individuals, must therefore in this instance give way ; and this committee is of opinion that the street ought to be widened.

The question remains, to what width ought the street to be widened ? The several individuals insist that no street is improved for business purposes by making it more than 45 feet wide, but they admit that a width of 50 feet is not materially injurious. They claim that 40 feet is an ample width for a wholesale business, but they do not



claim that it will admit of the passage of any carriages, except the jostling of carts connected with the business of the street. It is worthy of remembrance, however, when considering these positions, that they are used by those who are acting for their individual interests, and not with regard to the public interests, and allowing to them the best intentions as to frankness and fairness, there are two objects they must desire to effect; namely, one to save their land, and the other to prevent the street from being made a general thoroughfare.

From the facts stated in the report of this Committee on this subject, Document No. 17, and in the petition of A. Post and others hereto annexed, and making part of that Document pages 141 and 151, it will appear that a street wide enough to allow two carts being backed up against opposite curb stones, and two carts to pass between them, must be not less than forty-one feet six inches between the curb stones. If side walks of only ten feet in width be allowed, a street to afford the accommodations aforesaid, must not be less than sixty-one feet six inches,—and it is presumed that it will not be contended, that any width of cartway less than enough to afford the accommodations aforesaid, will be sufficient for a thoroughfare. But by the present law of the Corporation all sidewalks in streets sixty feet wide shall be fifteen feet wide, and in streets seventy feet wide shall be eighteen feet, so that to afford the above mentioned width of carriage way, the street must be made from seventy to seventy-six feet in width.

The property which will be taken to widen William street is now very valuable, and is constantly increasing in value; but widening of the street is all important to its farther very rapid advance. Yet still it is very desirable to take as little land as will possibly effect the object in view. The Committee do not discover any mode by which the land may be saved to the owners, and the width

of the street made less than before stated, except by permitting narrower sidewalks than are now required by law. Another law of the City now allows the owners of lots to build projections on to the sidewalks to the distance of six feet, thus in fact taking twelve feet of the street substantially from the public use and devoting it to private use. By prohibiting such projections on the improved street twelve feet of widening may be saved. This Committee can discover no sound objection against such a prohibition. It would it is true be an innovation on our custom, and an alteration of the law: But as the subject matter of the law is to be altered, no injustice will be done by altering the law with it, and much land and damage will at the same time be saved to the lot owners. This is no novelty in other cities, indeed it is the general law in Boston: And the projections we are accustomed to erect on the streets are not necessary for the convenience of either stores or dwellings.

The expense of the proposed improvement will be great whether fifty or sixty feet be made the width of the street. The Commissioners of preliminary estimate, it is before stated, made the damages on sixty feet of width \$462,898. The Commissioners appointed are very judicious and respectable men, well acquainted with real estate, and the Committee have no doubt, they made a strictly conscientious valuation of the damages. It was not however to be expected that the owners of the lots would acquiesce in any moderate valuation of their property, and in many instances their estimate is much grumbled at. If twenty-five per cent be added to the estimate of the Commissioners for the purpose of raising the estimate high enough to render legislation on the subject safe, (and such an addition this Committee deem sufficient for that purpose,) the estimated damages will not amount to \$600,000. It is believed by this Committee that the benefits which will be conferred by the proposed improvement, will in a great measure, if not entirely, pay the damages even at

the above stated large amount. By the books of the Assessors of the second and fourth Wards, the real estate from Maiden Lane to Frankfort street is valued at 768,300 dollars, and from Frankfort to Pearl at \$329,500, making together the sum of \$1,007,800, and it is well understood that the real estate is usually assessed at a value far below what the property would sell for in market. The addition of about thirty-five per cent to the value of this real estate would pay the estimated damages. But even on the supposition that the benefits to individuals will not pay the damages, this Committee is of opinion that the improvement ought to be made even at a large charge upon the City Treasury. For improvements of cross or east and west streets, the City Treasury as a general rule should be subjected to no part of the expense, because it is seldom that the public has any material interest in them; and as such improvements are for the private benefit to individuals they should not be made, except the benefits to individuals will pay the damages. Not so however with the longitudinal or north and south streets. In the improvement of these, the public as such, has a great interest, and as above stated they have such interest in the improvement of William street. If therefore the benefits to individuals will not pay the damages occasioned by widening the street to sixty feet or more—and a less width would not benefit the public as such, then it would seem that the surplus expense of the improvement, after the payment by individuals of the amount they would be benefited (all things considered) would form a very proper charge upon the public Treasury. The law now provides that the Commissioners of Estimate and Assessment may assess upon the City one-third part of the damage to the buildings injured. Such assessment for the widening of William street added to the benefits to individuals, the Committee believe would over pay the damages. But even if it would not, still the Committee are of opinion that the

street ought to be widened to at least 60 feet in width even at a greater charge on the treasury than 1-3 of the value of the buildings; and as such assessment cannot be made without authority from the Legislature, that application should be made for such power, if it should be needed. It is by no means to be understood, that this Committee consider that any assessment upon the treasury for the improvement of any street ought to be made in any case until the benefits conferred by the improvement upon individuals, are exhausted.

The parties interested, contended before the Committee for a different rule of assessment on the treasury than the one above stated, and claimed that a width of 45 feet was all that was needed to improve the street for individual benefit, and therefore that the expense of improvement to that width should alone be assessed on individuals; and that inasmuch as any additional widening, would be for the public benefit, the public should pay for it. Such a rule would operate most beneficially in favor of the individuals; and the city be left to pay an enormous burthen, and leave as enormous profits to the land holder, without any consideration therefor. These improvements are not made to give profits to the land holder, though they in most if not in all instances do so give them. And the land holders cannot complain, when they are left, all things being considered, in as good a situation as they are found. The true rule seems to be to assess upon the land holder, the amount of his benefits all things considered and the balance upon the city.

The Committee are of opinion, that William street ought to be widened from Maiden Lane to Pearl street, and on the westerly side, and to a width of not less than sixty feet, and that the street should be continued in a straight line by opening the same from Frankfort street to Chatham street to the same width of not less than sixty feet. With a view of taking the opinion of the Com-

mon Council upon the principles before stated, they submit the following resolutions for consideration.

*Resolved*, That William street be widened from Maiden Lane to Frankfort street, by cutting off from the front of the lots on the west side thereof, enough land to make the same of the uniform width of                feet, according to the plan designated on the map accompanying this report.

*Resolved*, That William street be widened from Frankfort street to Pearl street, by cutting off from the fronts of the lots on the east side thereof enough land to make the same of the uniform width of                feet according to the plan designated on said map.

*Resolved*, That William street be continued from Frankfort street to Chatham street, by opening the same in a straight line with the direction of William street below Frankfort street, and though the block formed by Frankfort, Chatham, William and Pearl streets as designated on said map.

*Resolved*, That when William street shall be widened and extended as directed by the foregoing resolutions, no person or persons shall construct or continue, any bow window, or other window, cellar door, porch over cellar door, platform, stoop or step, which shall extend beyond or outside of the lines of the street as they shall be established after said improvements shall be effected, but nothing in this resolution contained shall be construed so as to cause the removal of any such projection now made or existing.

Most respectfully submitted,

WM. SAML. JOHNSON,  
SAMUEL PURDY,  
ROBERT SMITH.

} Committee  
    " Streets.

New York, April 13th, 1835.



*Estimate of the damage to Buildings and value of Land taken for widening William on the southerly side from Maiden Lane to Chatham street to fifty feet wide—also to sixty feet wide as per Map.*

FROM MAIDEN LANE TO JOHN STREET.

Number on Map.	FOR FIFTY FEET WIDE.		FOR SIXTY FEET WIDE.	
	Damage to Buildings.	Dimensions of land.	Damage to Buildings.	Dimensions of land.
		Land.		Land.
No. 27	Buildings. 500	295 3 x 14 3½	Buildings. 1000	295 3 x 24 3½
28	1500	■	2500	is
29	3000	4219 5 at 10	4500	7171 11 at 10
30	2800		4200	
31	300		400	
32	2000		3000	
33	1500		2500	
34	400		550	
35	1500		2500	
36	1750		2700	
37	200		3000	
38	5000		7000	
				\$71719 16





ANN TO BEEKMAN STREET.

No.	Land.			
56	182 4 x 14 8		3000	
57	is		350	
58	2684 2 at 7	18789 16	3000	31552 50
59			850	
60			750	
61			800	
62			1200	

BEEKMAN TO SPRUCE STREET.

No.	Land.			
63	201 10 x 15 5		750	
64	is		750	
65	3111 7 at \$6	\$18669 50	3500	
66			3000	
67			500	
68			350	
69			350	

30780 00



No. 78	50	50
79	1000	1000
80	1500	1500
81	5000	5000
82	1800	1800
83	800	1500
84	1000	1000
85	600	600
86		
87	50	50
88	75	75
89		
90		
91	400	600
92	500	500
93	5000	5000
94	3500	3500
95	1500	1500
96	1500	1500
97	2800	3000
98	3200	3500
99	2250	2500
100	2000	2300
101	100	1500

500	600
1000	500
1500	5000
5000	3500
1800	1500
1500	1500
1000	3000
600	3500
50	2500
75	2300
	1500

50	50	400
1000	75	500
1500		5000
5000		8500
1800		1500
800		1500
1000		2800
600		3200
		2250
		2000
		1000

No. 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101

No. 102	350
103	250
104	200
	<u>\$93625</u>

	<u>\$221933 99</u>
	<u>\$124,525</u>

	<u>\$338373</u>
	<u>7</u>

FOR FIFTY FEET WIDE.

Buildings,  
Land,

-	-
-	-
-	-

\$93,625
<u>221,933 99</u>
<u>\$315,558 99</u>

Buildings,  
Land.

-	-
-	-
-	-

\$124,525
<u>338,373</u>
<u>\$462,898</u>
<u>7</u>

581

[Doc. No: 75.

## FRONTS OF LOTS ON STREET OPENED.

Maiden Lane to John street,	-	-	-	295	3
John street to Fulton.	-	-	-	363	7
Fulton to Ann street,	-	-	-	119	9
Ann to Beekman street,	-	-	-	182	4
Beekman to Spruce street,	-	-	-	201	10
Spruce to Frankfort,	-	-	-	222	4
Frankfort to Chatham,	-	-	-	400	

---

 1785 1

Two sides, - - - 2

---

 Feet 3570 2
 

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## WIDTH OF STREETS CROSSED.

			<i>East side.</i>	<i>West side.</i>
John street,	-	-	35	34 6
Fulton street,	-	-	34 9	35 3
Ann street,	-	-	37	37
Beekman street,	-	-	22 4	33
Spruce street,	-	-	50	50
Frankfort, -	-	-	35	30
Maiden Lane,	-	-	50	70
Chatham,	-	-	60	60

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 324 1

 349 9
 

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Streets 673 10

Respectfully submitted,

JOHN MORSS,

CHARLES B. TAPPAN.

January 31, 1835.



**DOCUMENT NO. 58.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**APRIL 13th, 1835.**

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Report of the Ferry Committee on petition of John Stevens for renewal of lease of the Ferries to Hoboken. Laid on the table and ordered to be printed, and made special order for next meeting.

**R. FISHER, Clerk.**

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The Committee on Ferries to whom was referred the petition of John Stevens for the ~~use~~ of the Hoboken Ferries at the foot of Barclay and Hoboken streets, present the following

**REPORT,**

The Committee deem it a matter of great importance to this community, that these Ferries should be conducted

in such a manner as to insure a cheap, convenient and safe communication between this city, and the delightful pleasure grounds at Hoboken.

There is in fact no other place in this vicinity where our citizens can enjoy the luxuries of breathing pure air, of healthful exercise and beautiful scenery, at so small an expense of time and money, as a visit to Hoboken will insure them.

The Messrs. Stevens who are the present lessees of these Ferries and the owners of these grounds, have acted in a spirit of liberality, by voluntarily reducing the ferriage for foot passengers, from  $12\frac{1}{2}$  to  $6\frac{1}{4}$  cents, their boats are large and commodious, they are navigated by experienced engineers and boatmen, and kept in good repair.

The original cost of these boats as stated by the lessees who appeared before the Committee, on behalf of the petitioner was 94,000 dollars. This amount together with the expense of building wharves, bridges and other necessary fixtures, will amount to a sum, considerably above 100,000 dollars.

The Committee are also informed that they have likewise kept up at their own expense, a good road, of one and an half miles to the Newark Turnpike, and three miles of turnpike, leading to Hackensack; and have assisted in erecting and maintaining the banks along the salt marsh that protect the roads. It has also been stated to the Committee that the revenue heretofore arising from the Ferries, has been materially diminished by the alteration of the roads in the neighborhood. The travel from Newark and Paterson have been diverted to Powles Hook, by the construction of rail roads, and the ferry at Fort Lee has taken away a large portion of the travel from Hackensack and the neighboring villages.

From the above facts it will be perceived that these enterprising individuals have been cut off from the surrounding country and left to support the Ferries by offering in-

ducements to the people of New York to visit their pleasure grounds.

The present lessees came in possession of the Barclay street Ferry, in 1822, by a lease from this Corporation for eight years, at the yearly rent of 595 dollars, the lease was afterwards renewed for five years at a rent of 800 dollars, in order to make it expire at the same time with the lease of the Hoboken street Ferry, which was granted in 1823, for twelve years. Both these leases will therefore expire on the first of May next. Within the present year the executors of the Rhinelander estate have made a claim upon the Corporation for the use of the wharf at the foot of Barclay street, this question was brought before the Common Council, and compromised by paying the claimants                      dollars; whether this claim is just or not, the Committee is unable to decide. The bridges and other fixtures were placed there by the lessees and therefore have become a permanent part of the wharf, and cannot be removed except by consent of the Common Council.

The Committee therefore propose to allow the lessees to run their boats to the foot of Barclay street for a nominal rent, they satisfying the Rhinelanders for any claim they may have to the wharf.

The Committee have consulted the petitioner on the subject of establishing a Ferry between Christopher street in the Ninth Ward of the City of New York and Hoboken, and find that he is willing to run a boat between these two places, provided a lease can be obtained from this Corporation that will indemnify him for the expense he must necessarily incur in providing a new boat, bridge &c. for the accommodation of the Ferry. The Corporation having no control over the landing on the Jersey shore, it becomes necessary that the person obtaining a lease for these Ferries should be in possession of the landing on that side of the river. It is well known that the petitioner is owner of

all the land adjoining the river from the present Ferry at Hoboken to Weehawken.

The petitioner requests a lease for each of these Ferries for seven years renewable by arbitration two more terms of five years each, with the exclusive right of running Ferry Boats between Barclay and Christopher street, on the New York side to Hoboken.

*Resolved*, That a lease be granted to John Stevens giving him all the right and title possessed by this Corporation to the wharf, at the foot of Barclay street for the purpose of continuing the Ferry for the term of seven years, renewable by arbitration in the usual way to settle the terms thereof, for two more terms of five years each. The lessees to keep two Steam Boats equal in all respects to those now employed on the Ferry constantly running, and subject to such laws and regulations as the Common Council shall see fit to make, for the proper regulations of this Ferry. The lessee to pay 800 dollars yearly rent, subject to the claim to said wharf lately made by William C. Rhineland, and to deduction of such amount as he may legally be compelled to pay under such claim, to an extent not exceeding such amount, in any year.

*Resolved*, That a lease be granted to John Stevens for the Ferry at the foot of Hoboken street, commonly called Canal street Ferry, for the same term of years and under the same regulations mentioned in the above resolutions, the lessees to run one good Steam Boat, when directed to do so by this Corporation, the lessees paying dollars yearly rent.

*Resolved*, That a Ferry be established in the Ninth Ward of the city of New York, to run between Christopher street and Hoboken.

*Resolved*, That this Corporation execute a lease to John Stevens for the same, the lessees to keep one boat running on this Ferry equal in all respects to the boat now running from the foot of Canal street, the lease to be executed for

the ~~same~~ number of years, and subject to the same regulations, as stated in the first resolution for the sum of dollars yearly rent.

*Resolved*, That the rates of ferriage on said several Ferries, shall not be raised to any larger amount, than what are now taken and to what they have been reduced by the lessees.

*Resolved*, That the Counsel of the Board be directed to make out the lease according to the above resolutions.

ROBERT SMITH, } *Committee*  
J. J. BOYD. } *on Ferries.*

*To the Mayor and Common Council of the City of New-York  
the petition of the subscriber humbly sheweth :—*

That in the year 1822, his sons John C. and Robert L. Stevens, with his advice and consent, obtained leases from your honorable body for the Ferries from New York to Hoboken, which leases will expire on the 1st day of May next.

That his sons have made every exertion to place the said Ferries on the best establishment, and in so doing have laid out a great amount of capital in Steam Boats of the first class.

Your subscriber having made arrangements with his sons for the said boats. He now prays your honorable body will renew the said leases to him for the benefit of himself and family on such terms as to your honorable body shall seem meet and proper.

JOHN STEVENS.

New York, February 23rd 1835.







**DOCUMENT NO. 59.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**APRIL 13th, 1835.**

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Report of the Special Committee and Street Committee on the subject of widening Centre street from Grand street to the Bowery at Houston street. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Special Committee on Centre street, and the Street Committee, to whom was referred back the report on the subject of widening and extending Centre street, from Grand street to meet some one of the leading avenues or streets in the upper part of the city, respectfully beg leave to

**REPORT,**

That your Committee have given the subject referred to them, that serious attention, which an undertaking of such importance demands, and after having considered various plans, they have endeavored to devise one, which,

in their opinion, will be the least expensive, and at the same time effect the object so much to be desired.

Your Committee would therefore recommend, that Centre street be widened on the easterly side thereof, from Grand street to Broome street. It is then proposed to extend the contemplated street, from the northeasterly corner of Broome and Orange street in a straight line to meet the southwesterly corner of Houston street and the Bowery, making the whole length of the street seventy-five feet wide.

Your Committee in offering this plan, in preference to one which would reach farther into the upper part of the City, and in a more northerly direction, are influenced by two weighty considerations, to wit : the immense cost of the property which would be required, and the necessity of an application to the Legislature to extend the improvement north of Eighth street.

By continuing the widening of Centre street northwardly to Broome street, it will require a portion of the ground on which Centre Market stands, and it has been urged as a reason, why the improvement should not be continued farther northwardly than Grand street, that it would displace the Butchers in that Market, thereby causing a serious damage to them. Your Committee feel no disposition to advise any measure which may be oppressive in its effects, but it is well known, that for a length of time, it has been a subject of complaint, that the accommodations in Centre Market have been too limited for the wants of that section of our city from Grand street, and that ample ground could be obtained in the immediate vicinity, on which a Market on an extended scale could be erected, where not only the Butchers would be more amply provided for, but where produce could find a market by affording means to accommodate the country wagons.

With these views, your Committee can see no good reason why the widening of Centre street should not be continued beyond Grand street.

By extending the contemplated street from Broome street to the intersection of Houston street and the Bowery, it will be necessary to cut diagonally through six blocks, and which affects in a greater or lesser degree 84 lots of ground. First, the block between Orange and Mulberry street,—the second and third, between Mulberry and Mott street,—the fourth and fifth, between Mott and Elizabeth street, and the sixth block, between Elizabeth street and the Bowery.

By reference to the map connected with this subject, it will be seen, that out of the 84 lots of ground, affected by cutting through these six blocks, from 28 to 30 lots will still be left of a sufficient depth for building purposes.

The buildings required to be taken, with but few exceptions, are mostly inconsiderable in their value, for it is well known, that in that section of our city, there are a number of stables and slaughter houses. In point of economy therefore, this plan of improvement bears a decided advantage over any other they can devise.

That an additional Avenue has become indispensable, to meet the growth of this great and increasing metropolis cannot be denied. For the only leading Avenues, Broadway and the Bowery are daily so much crowded with passengers, and vehicles of every description, as to call loudly upon the city authorities, to devise some plan, whereby our citizens can without the risk they now encounter, have facilities afforded them to and from the upper part of the city.

Your Committee therefore viewing this subject as one of vital importance to the whole community, and deeply impressed with the necessity of continuing the proposed improvement of Centre street north of Grand street, submit for your favorable consideration the following resolutions :

1st. *Resolved*, That Centre be widened on the easterly side thereof, from Grand street to Broome street, so as to make the same seventy-five feet wide.

2nd. *Resolved*, That a new street of the width of seventy-five feet be opened from the northeasterly corner of Broome street and Orange street, to the southwesterly corner of Houston street and the Bowery, according to the lines drawn on the accompanying map.

LAMBERT SUYDAM,	} <i>Special</i>		
WM. SAM'L JOHNSON,		} <i>Committee</i>	
ROBERT SMITH,			} <i>on Centre</i>
F. A. TALLMADGE,			

*April 13, 1835.*



**DOCUMENT NO. 60.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**APRIL 20th, 1835.**

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Report of Committee on the House of Detention with plans, specifications and details of the buildings. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Joint Special Committee of both Boards, on the House of Detention, charged by the resolutions of December last, past, (Document No. 29 of Board of Assistants) with the preparation of plans, specifications and details of the proposed building or set of buildings to comprise a House of Detention, a Debtor's Prison, Court of Sessions, and Police Office, and their appendages,

**MOST RESPECTFULLY REPORT,**

That immediately after their appointment they entered upon the duties with which they were charged, and made inquiries co-extensive with their means, for information

on the subject of Prisons and prison discipline ; and with a view to obtain accurate information on the interesting subjects connected with the establishment the city proposed to erect, they issued a circular, a copy of which is hereto annexed. This circular was issued about the 10th of January last ; and about the 20th of the same month the Committee having satisfied themselves, as to the qualities or properties, it was desirable the proposed edifice should contain, they advertised for designs, and offered the premium of \$500 for the best design according to the resolution of the Common Council, authorising the same. The Committee then prepared their "Instructions to Architects," as containing their views of the required qualities and properties of the buildings, a copy of which has heretofore been communicated to the Common Council as in Document No. 40 of the Board of Assistants. About sixty copies of the instructions were issued to Architects and Builders and others, whose occupations or tastes made them acquainted with architectural designs. The handsome premium offered by the Common Council drew forth five and twenty designs from as many different artists, many of which were highly creditable productions. The drawings exhibited, contained a great variety of combinations of the qualities and properties desired, and suggested many ideas to the Committee which they deemed it wise to use ; but no one of all those exhibited contained all that was best, and most appropriate to the objects to be accomplished. The Committee were therefore compelled to divide the premium, and apportion it according to the terms of the resolution by which it was offered. The award of the premium as made by the Committee is contained in the printed circular, a copy of which is hereto annexed, disposing of it as follows, namely:

To John Haviland, of Philadelphia,	\$200
Charles Frederick Reichardt, of New York,	
(late of Prussia,)	100

To Alexander J. Davis, of New York,	100
Louis Dwight, of Boston,	50
Calvin Pollard, of New York,	50

A portion of the premium was awarded to each of the competitors from whose works ideas are taken, to be incorporated in the buildings, and where the same ideas were contained in different designs, the Committee intended to give, and trust that they have given, the award to the author who had most successfully expressed it. The award was made on the 9th of March last, and instructions given to the Comptroller by the Committee to pay over the same according to their award.

Inasmuch as no one of the designs proposed by the competitors met with the entire approbation of the Committee, they were under the necessity of having new drawings made which should combine the several qualities and properties before alluded to, and also the ideas obtained from the selected plans. For this purpose, and also to prepare the necessary specifications of the building, and to aid and advise them in forming their opinion as to the cost of the building, the Committee engaged Mr. Haviland, as the successful architect in the competition, and besides as an architect of high established reputation, and one who for twelve or fourteen years has been engaged in the building of prisons, and more than any other man in the United States, qualified thereby, and by his talents to lead the Committee to the best conclusions. The result of the joint labors of Mr. Haviland, and of the Committee appear in the drawings which accompany this report, and the same are most respectfully submitted to the Common Council for their examination and judgment.

The Committee also herewith most respectfully submit to the Common Council, a specification of the proposed edifice, corresponding with the drawings.

Doubts have heretofore been expressed as to the strength of the ground selected to sustain the proposed

building. It being known that the proposed site of the building was made ground redeemed from the collect, it was feared that the ground might not be solid, and therefore that it would be incapable of sustaining a very heavy building, except aided by piles or extensive timbering, and perfect reliance was not placed upon the experiments of its strength made by driving piles as stated in the report on the House of Detention, Document No. 29, of Board of Assistants. To ensure greater certainty therefore the Committee have caused the ground to be bored under the supervision of the Water Purveyor, and the results have satisfied the Committee that the ground is equal to the support of any building the Corporation may think fit to put upon it. The several borings were made at the places, and showed the facts stated in the following report from the Water Purveyor :—

“ The Water Purveyor, being requested by the Committee on the House of Detention, to bore the ground at the Corporation Yard, for the purpose of ascertaining the state of the ground, begs leave to state that the *first hole bored* was about half way from Leonard to Franklin street and fifty feet from Centre street, and gave the following result, viz : the first seven feet sand ; then a thin layer of black earth, three or four inches in thickness ; then thirty three feet through clean gravel to black earth, (the bottom of the Collect ;) passing through that ten feet, came to blue clay ; bored six feet into the same and stopped.

“ *The second hole bored* was near the Hydraulic press, about one hundred feet from Elm street, and fifty from Franklin street ; went down eighteen feet through sand and gravel with stone, then came to black earth mixed with sand and gravel, through which we bored thirty seven feet and came to blue clay, the primitive soil under our island.

“ *The third hole bored* was on the side of the yard, opposite to the second hole, say one hundred and ten feet from

Elm street, and forty from Leonard street, near the supply well; went down through sand gravel and stone, twenty nine feet, and then came to black earth, one foot six inches in depth, and then to hard gravel and sand, the primitive earth. All of which is submitted by

U. WENMAN, *Water Purveyor.*"

There are certain characteristic features of the proposed building, which the Committee deem it their duty to remark upon. They are the following. The prison is calculated for the detention, previous to trial, of about two hundred prisoners. It is supposed that that number is as great as any single Court of Sessions can dispose of in one month; and that a prisoner ought not, through any delay, occasioned by the fault or neglect of the public, to be kept in prison untried, longer than one month. The proposed site is now about the centre of crime in the city, and also the centre of convenience for those who may be compelled to attend the court, either as parties, witnesses, or jurors. When the increase of population and crime shall furnish our jails with more than two hundred per month, the period will have arrived when another similar establishment, comprising its jail, police and criminal courts, will be needed, in a far distant section of the city.

The prison is designed for separate confinement. The Committee made diligent and anxious inquiries on this subject, and became satisfied that our duty to the public and to the accused, require an adherence to this principle. Our prisons, and particularly our Houses of Detention before trial, are now aptly termed "Schools of Crime," where the arts of villany are taught by the more skilled, to those less so, and where mutual instruction is given, by those whose experiences have differed. Solitary confinement is an effectual antidote to this evil. If an innocent man be arrested, he will prefer solitude with occupation, to the society of the vicious. The vicious and the professed



villain almost uniformly abhor the only society of their own consciences. Their enjoyments are those of the boaster and bravado; the recitation of, or listening to, tales of fraud, villany, and debauchery, obscene jests, and the contrivances of new schemes in their vocations. To such, solitude can do no harm, and much good may be hoped for from reflection in a solitary cell, and the companionship of the Bible. A prison constructed on this principle can turn no one out of it worse than he went in, and no rogue in confinement will be enabled, when released, to recognize another man as his fellow prisoner, and by claiming a prison acquaintance 'blow him,' and spot him,' as the term is, and thus force him, as is often the case, from good resolves, or into the ranks of the rogues.

Ventilation is a matter of great consequence to a prison, and especially to one situated in a town. The prison in this establishment is therefore placed separate from the other parts with a circulation of air all around it, and also through the spacious corridor which separates the ranges of cells.

With the same view, and also for better light, the committee have chosen the plan of building the cells on the outer wall, in preference to building them on a centre wall, as at Auburn and Blackwell's Island. In the latter prisons the cells are used only for sleeping rooms, but in the former it is proposed that the prisoner should remain from the time of his commitment until his trial.

The plans for privies, water-pipes, and heating, and ventilating, lighting, and fastening the cells, are adopted from the Pennsylvania prisons, where they have been long in use, connected with their system of solitary *punishment*, and where the Committee saw them, on a visit to Philadelphia, in successful operation, embracing more recent improvements, now constructing at Pittsburg and Trenton, so as to effect more perfect seclusion and security.



The filth of the generality of the prisoners when arrested, is excessive and disgusting, and the effluvia they throw off at the times of their trial, is a matter of serious complaint, with the magistrates and officers of the Court of Sessions and Police. To remedy this evil, baths and washing rooms of ample dimensions are provided, to the end, that every prisoner may be made effectually to cleanse himself after commitment and before going to his cell; and it is verily believed by many whose experience of vagrants and rogues is great, that the terrors of a bath would operate seriously to deter from vagrancy and crime.

The Debtors' Prison, is situated in one wing of the building, devoted to the Courts and Offices, and thus entirely separate from the Criminal Prison. It is so arranged as to allow the prisoner his choice of solitude or society, to a very considerable extent, at his own election. The structure of the two prisons are on similar principles, but that part designed for the Debtor's is made more comfortable and admits of more liberty.

No separate provision has been made for either apprentices or witnesses. Such prisoners are but few in number and as the former are always sent to prison after a hearing by a magistrate, and as a punishment, a solitary cell is the most appropriate place for them; and the Debtor's apartments are well designed for witnesses.

The remaining portions of the building require no further remark, than that it is believed, there are no more rooms, than the Court of Sessions, Police Office, and Watch House require.

The style of Architecture which the Committee, have selected is the Egyptian, and the design is from one of the most approved examples contained in Napoleon's Egypt. It combines great beauty with simplicity and economy, and its massive proportions and general character, render it peculiarly appropriate and fit to the objects

and intended uses of the establishment. Granite and red sandstone as well as marble are appropriate materials for its construction.

The Committee have advertised for estimates and proposals from builders, for building the proposed establishment, and several have been received. For obvious reasons the particulars are not spread upon this report, but the same are held by the Committee at the command of the Common Council, and of the members individually. Proposals in gross for building the establishment for a specified sum are received and also others to build it according to the Specification, and to receive compensation according to fixed prices for the quantum and different species and kinds of work to be measured by prescribed rules. The ultimate decision as to what contract it is most expedient to make, requires much study, and seems to be a proper matter of reference to a committee with powers within limitations as to price. And this Committee recommends such a reference.

The Committee also recommend, that a general superintendant to be employed as the immediate representative of the Corporation and overseer and architect of the work; and that he be employed on a salary. The Committee have taken pains to ascertain what would be a proper compensation for such a superintendant, as would be fully competent to the discharge of the many and nice duties incident to the character and have concluded that the sum of \$3000 per year is a reasonable sum in reference to both parties.

The Committee are of opinion that either a Committee to be composed of members of the two Boards, or a set of Commissioners, whose offices would be more permanent should be appointed with specified powers in reference to the proposed building; but as there would be little for such Committee or Board of Commissioners to do during the present political year, this Committee make no specific recommendation on the subject.

The following resolutions contain the views of this Committee, and they are most respectfully submitted for the consideration of the Common Council.

*Resolved*, That the plans and specification for the new public buildings, comprising a House of Detention, a Debtors' Prison, and accommodations for the Court of Sessions, Police Office, Watch House, &c. mentioned and referred to in the foregoing report, and submitted to the Common Council therewith, be and the same are hereby approved and adopted.

*Resolved*, That the Joint Special Committee on the House of Detention, be and they are hereby authorised on behalf of this Corporation, to settle with other persons the terms of contracts for the erection and completion of said new public building, and that the same, after being reduced to form be executed under the seal of this Corporation and the seals of the contractors.

*Resolved*, That said Committee be authorised to agree for the payment of a sum not exceeding in the whole, the sum of \_\_\_\_\_ dollars, for said public building.

*Resolved*, That said Committee be and hereby are authorised to contract for the employment of a Superintendent or Architect for the said building at a salary not exceeding \_\_\_\_\_ per annum.

Most respectfully submitted.

WM. SAM'L JOHNSON,  
WM. C. WALES,  
ROBT. C. CORNELL,  
LAMBERT SUYDAM,  
JOHN DE LAMATER.

April 20th, 1835.

NEW-YORK, MARCH 9, 1835.

SIR,

The Committee of the Common Council of this City, on the House of Detention, &c. have discharged the very delicate duty charged upon them, of pronouncing judgment on the many designs offered in competition for the premium. The public call has elicited twenty-five different designs, and a great display of architectural science and talent, most highly deserving encouragement. The Committee have not "accepted the entire of any one" of the proposed plans, but have "accepted parts of different plans." They have, therefore, in obedience to the resolution under which they act, apportioned "the premium amongst the competitors, proportionably to their accepted work," to be incorporated into the design now to be prepared. Such apportionment, in the judgment of this Committee, ought to be, and by them is made as follows :

To John Haviland, of Philadelphia,	\$200
" Charles Fred. Reichardt, of New York, (late of Prussia,)	100
" Alexander J. Davis, of New York,	100
" Louis Dwight, of Boston,	50
" Calvin Pollard, of New York,	50

The designs not accepted are left at the Street Commissioner's Office, and will be delivered to the authors on application.

Most respectfully,

Your obedient Servants,

WM. SAM'L JOHNSON.

WM. C. WALES.

BOB'T. C. CORNELL.

JOHN DE LAMATER.

LAMBERT SUYDAM.

To

ARCHITECT.

**HALLS OF JUSTICE**  
**OR**  
**HOUSE OF DETENTION, &c.**

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COMMITTEE ON THE HOUSE OF DETENTION, &c.

MARCH 27th, 1835.

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The following Specification was read, approved, and ordered to be printed.

WM. SAML. JOHNSON,  
*Chairman.*

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**SPECIFICATION.**

Specification of the work and description of the several kinds of materials to be employed in the erection and completion of a new Building, proposed to be erected by the Corporation of the City of New-York, to comprise rooms for the Court of Sessions, Police, Watch and Prison for Criminals and Debtors, conformable to the accompanying plans, elevations and sections, together with models and working drawings, explanatory of its several parts in

detail hereafter, to be furnished by the Superintendant as the work progresses.

Excavator to dig out and remove the whole area of such part of the site as will be occupied by the building, eight feet below the level of Elm street, and not less than five feet wider than the external walls of the several buildings composing the general plan.

Two wells to be dug ten feet in diameter and fifteen feet in depth and lined with a brick wall the length of one brick in thickness, a heading course, the upper courses to be laid in mortar, and arched over with an opening or eye, left at the crown two feet in diameter; to be located where marked in plan at *A* and *B*.

A trench to be dug out of the same depth with the bottom of the Culvert or Sewer on Centre street and sufficiently wide to form a cylindrical barreled arch two feet diameter in the clear, and one brick in thickness; to have a regular declination from its summit to its termination at the Sewer in Centre street.

The two branches of the Culvert to commence from the centre of the Officer's and Debtor's yards at *C* and *D*, to traverse round the House of Detention in the direction of the dotted line, marked in the plan of the basement, and connecting at the centre of the site; and from thence to pass under the external wall and extend to the public Sewer in Centre street.

Four vertical entrances to be constructed at the position *C*, *D*, *E*, *F*, to carry off the rain and waste water of the yards; to be finished with a foul air trap similar to those now in use in the public streets.

To fill up with good gravel all the inside yards, and outside paved ways on a level with two feet above the present regulated curb stone on Elm street.

To remove from off the premises at the completion of the works all the superfluous dirt and broken materials occasioned by the progress of the works.



## MASONRY.

To start or commence all the foundations of the several walls on a level with eight feet below the present surface of curb stone at the centre of the lot on Elm street.

All the external walls marked *GGGG* in the plans to be five feet in thickness at the base, formed of large sized select building stone of a quality equal to granite—the first course to lay transversely in lengths equal to the width of the wall; these walls to be diminished in regular offsets as they extend to their termination at the bottom of the Cell floors, which is three feet six inches above the present curb stone on Elm street, those adjoining the streets two feet above the curb stone, ready for the reception of the cut stone, at which height the external walls on the inside are diminished to thirty inches, and on the outside they are not to diminish until they reach the top of the water table.

The walls on which the columns rest, as well as the piers of the kitchen and Watchman's dormitory are to be eight feet thick at the bottom, and diminished as they rise; the column walls to six feet, and the pier walls to be four feet in thickness at their termination, which corresponds with the levels of the cell floors before mentioned, taking care to leave eight inch offsets for the barrel arches to spring from, four feet below the said levels.

In all the rooms *HHH*, and passages *II*, excepting those of the cells *JJ*, which are calculated to be floored with flag stone as hereinafter described.

All the openings in the different walls, wider than four feet, are to have semicircular inverted arches, turned under them the thickness of the wall to which it is attached, two courses lengthwise in thickness.

All the petition walls of the cells and front building are to commence on the same level with the external walls, to be two feet in thickness, and carried up of the same dimensions to the bottom of the flag stone floors of

the cells, and spring line of arches of the other rooms and passages ; they are then to diminish to eighteen inches in thickness extending to the roof, their several heights are as follows, to wit :

The Police and Debtors cell being such portion of the plan as is contained between the wings of the fronts on Leonard and Franklin streets, marked *KK*, are to be constructed two stories in height, each eleven feet in the clear, their external walls next to the yards to be twenty-three feet in height, from the upper surface of the first flag stone floor to the lower surface of the flag stone ceiling, which it is to follow the inclined plane of the roof, pitching in. Its external walls next the street to be three feet higher, the remaining part of the cell buildings called House of Detention, to be carried up four stories in height, its external walls on the inside will consequently be seventeen feet six inches higher than the last described two story cell buildings.

The external wall of enclosure next the streets, forming the wings of the fronts on Leonard and Franklin streets, as well as its connecting fronts on Elm and Centre streets, to be thirty-eight feet six inches above the upper surface of the first floor.

The outside walls of the Court House to be a similar height. All the external walls last described to be thirty inches in thickness at the first floor, and diminish three inches at every story.

The inclined plane of the roofs of the principal front to pitch towards the inside ; as well as the Debtors and Police cells roof.

The external surfaces of the inside yard walls, are to be hammer-dressed, and laid with ranged courses, with stones of promiscuous lengths ; no vertical joints to be less than twelve inches apart, or stone less than eight inch bed, dressed square, and out of winding the courses to run from nine to eighteen inches in height ; the whole to be

well and neatly pointed with good cement; all the windows to have a granite stone sill and lintel; the sill to be six feet six inches in length, eight inches deep, and fourteen inches on the bed, to set flush with the wall; (fig. 1) the upper bed dressed with a wash of half an inch in its width; the *lintels* to be five feet six inches in length, twenty inches high, and fourteen inches on its bed, which must be dressed full and square on the back, to set on the sill, the sides and upper soffit to splay twelve inches, at an angle of forty-five degrees, to admit the light and air into the cell. A notch to be cut out, thirty inches long by five and a half inches deep, to admit the cast iron jambs. These stones need not be back jointed, (as shown in Fig. 1.)

All the inside partition walls, and the backing in of the hammer-dressed and cut work of the outside walls, to be formed of common rough masonry, using good quality and shaped stones. Every story to be levelled off with solid, well-bedded flat stone, to receive the flag stone floors and ceilings. All the ceilings and floors of the different cells to be formed of granite, or North River stone, sound and free from imperfections. Four stones in width to form the length of the cell. The length of each stone to be equal to the width of a cell, including its partition wall, on which it is to rest, not less than six inches on either end. No stone to be less than six inches in thickness; their lateral joints are to be grooved and filled in with melted lead, after they are put together.

Each door in the first floor is to have a dressed granite stone sill, twenty inches wide and eight inches deep; the front and back edges, or risers, to be jointed, three feet long, to project out beyond the face of the rough wall next the cell and passage, to receive the plastering, flanges and joggles of the cast iron door jambs.

A stone of similar height, but of promiscuous beds, is to be provided, and set on a level with the sill, forming ■

continued line of stone next the passages only. The string in the cells for the plastering to finish against, to be formed of narrow strips of grey flagstone, two inches in thickness, laid flat, with its cross cut edge to the cell, laying directly on the floor, and projecting out flush with the finished surface of the plastering.

In each story the stone which lays next the passage, and covert part of the cell, must be wide enough to cover the eighteen inch wall, and project over eighteen inches into the passage, to form a gallery to each story above the basement, three feet wide; the stones next to it (*AA*) which also forms a part of the ceiling, (fig. 2) is composed of two stones, ten inches thick and eighteen inches in depth, laid side by side, making jointly a strong lintel, that rests nine inches at each end on the partition walls, (as shown in fig. 2.) Such part of the vertical face as shows above the gallery and cell floors twelve inches, must be dressed to answer the same purpose as the sills of the lower floor, for a plinth to receive the plastering, and the insertion of the cast iron door frame; two apertures or flues are cut, twenty inches long and four inches wide, (two out of each stone) to ventilate the cells. This flue is conducted next the passage, lathed and plastered to the apex of the roof, where it terminates.

The outside stone of the upper cells are to project over the wall eight inches, and form a cornice six inches deep, the under edge that projects, to be dressed, and the front squared of a uniform thickness. The stones that form the gallery on the inside, to be dressed in like manner. The upper surface of the flag stone that forms the floors are to be dressed out of winding, and the under side left rough for plastering on.

To build all the fire places, door ways, flues, flared window jambs, ventilating, warming, watering, and other openings, of the form and shape explained in the drawings.

The quoins of the square piers in the first floor of the front building, on which the second story columns rest, and the arches of the watchmen, dormitory, and kitchen arches spring, are to be constructed of substantial chissel-dressed quoins, header and stretcher alternate, the bonds to be well broken, the work otherwise done in the best workmanlike manner, with granite in ranged courses eighteen inches in height.

The mortar to be composed of good, sharp, clean sand, and well burnt lime, in approved proportions.

The foundation walls for the iron railing to be two feet in thickness, and of a similar depth with the other walls, and capped with a dressed coping of granite, twelve inches deep, and sixteen inches wide, in good proportioned lengths.

To form all the skew backs for the inverted and upright arches, to suit the centres described under the head carpenter's work.

To set all the cast iron door and window jambs, iron ties, cramps, frames, eyes, and other iron work, where required, in a substantial and approved manner.

All the floors of the rooms that are arched, are to be filled in between the sleepers, on a level with its upper edge, with broken stone, and run together with liquid mortar.

All the surfaces of the rough work to be dashed up with mortar, ready for plastering or whitewashing, as the character of the room or passage may require it.

All the chimney and furnace flues to be well parged, and the stacks carried up two feet, at least, above the highest part of its adjoining roof, and capped with a five inch stone coping; to be well cramped, and cemented together. No flues to be nearer than eighteen inches to any wood work.



## STONE CUTTING.

All the external surfaces of the fronts on Elm, Centre, Leonard and Franklin streets, to be formed of chisel-dressed granite or sand-stone, in ranged courses; the stone to be of promiscuous lengths, to suit the width of the piers, and height of their openings, to which they are connected; but no upright heading joint to be less than twelve inches apart, or less than eight inches bed; the beds not to be worked too slack. The bottom bed of the first course to be on a level with two feet above the present surface of the curb stone on Elm-street.

The plinth of the four exterior elevations to be composed of four courses of stone, each course to be sixteen and a half inches in height. The upper course, or water table, on which the angular turret and window pilaster rests, must be fourteen inches on the bed, seven inches to be dressed with a wash, to discharge the water. The upper course of plinth behind the railing in the recess of the central part of the fronts on Leonard and Franklin streets, to be eleven inches on the top bed, five of which is required to be dressed with a wash, excepting where the architraves of the windows rest.

The courses above the water table consist of a thirteen inch and an eighth, and a twenty-six inch and a quarter alternately, to the horizontal torus of the entablature. The low course to have a bed not less than twelve inches, and the high courses to have not less than six inches; to break joint horizontally, and to suit and correspond with the lists and bands of the angular beads, as shown and expressed in the elevations.

The beads to break joint similar to quoins, by right and left handed ashlar, attached to them alternately. The beads on the angles and horizontal positions of the fronts to be cut thirteen inches and an eighth diameter, three quarters at the vertical angles, (as in fig. 3, and 4.)



The low quoins to have three bands cut on it, (as in fig. 5.) And the high quoin to have a spiral band on it two inches wide (as in fig. 6;) the horizontal bead to be banded and filleted in a similar manner, but to project only one half of its diameter from the face of the wall.

The entablature, or superstructure over the columns is ten feet high, and composed of five courses, each of the height expressed on the elevation. The cornice or cavetto is formed of two courses; first, a plain twenty-three inches high, piece of ashlar jointing at the junction of the plain and curved surface, and surmounted by the cove and fillet in one piece, thirty-seven inches high, projecting twenty-three inches, (as in fig. 7.) The metopes to be one stone in length, and reeded triglyphs, one stone in width and height. (fig. 5 and 6.)

The architraves round the side windows, to project five inches from the face of the wall, and to show twelve inches on the reveal jamb next the window; to be twelve feet high, and formed of one piece, checked back one inch to receive the ashlar of its connecting pier; to be twenty inches wide at the base, and fifteen at the top. The lintel or frieze to be twenty-two inches high, and its level bead a semi-cylinder of six inches diameter; the cavetto, or coved cornice twenty-eight inches high, including its square of six inches. The projection eleven inches in advance of the vertical surface of frieze. The opening between the pilasters to be five feet six inches for the window.

The reeds of the cornice to be quirked in and formed out of the solid, flush with the surface; the frieze, bead and cornice, each member to be formed of one piece in length; the summit bead over it seven inches high, and three and a half projection, its cavetto twenty seven inches high and thirteen and a half inches projection, its fillet seven inches deep. The horizontal member of the windows on Elm street, correspond with these last mentioned proportions, the lintel being equal to the height of the bead,

scotia and fillet. The architraves to be composed of two stones in height each ten feet nine and a half inches, its cornice or lintel forty one inches high, projecting sixteen inches, the square twelve inches deep. The cornice to be embellished with the scaraba or winged globe, as shown in the front views. The openings between the jambs of pilasters to be six feet; the pilasters to diminish from twenty six inches at the base to fifteen at the top, to project six inches from the face of ashlar, and show thirteen inches of revealed jamb next the window; each low course of ashlar to have one bond or through stone in the centre of each pier.

The architrave and cornice of the external wing doors of the Leonard and Franklin streets fronts, as well as the doors of the principal hall under the Portico, to be the same proportions and form with the lateral windows before described.

The Portico to be composed of four columns in front and two with antae on its rear, five feet in diameter and twenty-five feet high; it is subdivided into three principal parts, the lower section is seven feet six inches in height, a plain cylinder enriched with the lotus leaf in bold relief.

The second course is ten feet high, its shafts being formed of eight reeds as large as its circumference will admit, and surmounted with a bell shaped cap, seven feet six inches high, composed of eight palm leaves, one over each reed of the middle section and bound together by a band of four fillets forming a well proportioned neck mould, or hypotrachelion; the greatest projection of the cap is seven feet six inches, the columns are fifteen feet from centre to centre, and the same distance in advance from the rear columns; such portion of the architrave frieze as belongs to the portico and porches must be formed one course in height and two in thickness; the soffit is four feet wide.

A blocking course three feet high, and not less than six inches on the bed, is to cap the cornice of the highest order to extend the length of the whole front on Elm street, and return round its connecting wings of the fronts on Leonard and Franklin streets, to follow the projections and recesses formed by the portico, and porches &c. as drawn in the elevations.

The top bed will be covered by the metallic covering of the roof, of which it is the summit.

A flight of eight steps, to extend in front all round the portico, which is fifty feet wide by fifteen feet projection; the risers will be one ninth of sixty-six inches, and the tread to show twelve inches, finished square, and with a drip on the tread; the platform or landing to be formed of the shape and dimensions shown in the plan, with stones equal in thickness to the rise of the steps to which it adjoins; as also the landing or floor of the second flight and hall of principal entrance. The second internal receding flight to extend the whole width of the inside of the hall, and to consist of twelve risers in ninety inches, and twelve inch treads.

The columns and walls of the entrance hall including its doorways is to be formed with stone similar to the exterior work. The order of the columns is taken from another example of the Egyptian style, of more slender proportions, suited to their location, resting on the plane of the second landing, which is on a level with the second floors of all the rooms in the building, and extending up to the top of the exterior architrave, twenty-one feet five inches high. The diameter will be forty-four inches; the plane and receded surfaces of the shaft will be subdivided in accordance with the proportions of the exterior columns.

Stone antae or pilasters, finished plain are stationed on the walls, to project twenty-two inches, forty-four inches wide; one half the square of the diameter of the

columns, the angular ones to be one fourth of the square, twenty-two inches square; the whole to range with the columns. The architrave beams to be of stone, of similar dimensions in width, but to be forty-four inches deep, including its crown torus, of eleven inches in diameter; the architraves to cross each other from pilaster to column at right angles, forming square compartments in the ceiling, which is to be lathed, plastered, and colored, to correspond with the stone to which it belongs.

The compartments of the floor to be paved with stone of a form corresponding with the principal features of the ceiling lines.

Two steps and a platform forming three risers in two feet, including its necessary wash; these steps will lead from the pavement to the wings of the fronts on Leonard and Franklin streets, up to the top of the basement floor.

All the flights of stairways represented in the several departments of the building are to be constructed of granite, of the form and proportions shown in the plans; no tread to be less than twelve inches, or riser more than eight inches. All the steps and landings to lever into their adjoining walls for support, the soffit, or under face, to be dressed on the rake formed by the proportions of the rise and tread. The horizontal joint to rest on a shouldered notch, at right angles with the inclined plane of soffit, inch and a half deep, (as in fig. 8.)

The central ornament over the entrance on Elm street, is to be formed of the shape and proportions drawn on the elevation in bold relief, equal to the projection of its torus.

The columns, beads, cornice, window and door members, and other decorative features are to be rubbed in sand, to a smooth surface; and the whole done in the

best workmanlike manner, inserting cramps where necessary.

Twenty-six marble mantels are required, of different sizes, and manner of finish, to suit the rooms to which they belong ; estimated value to average dollars each, including its hearth and fixing complete.

All the cut stone work to be well and solidly bedded with good mortar ; the faces and quoins to be cut square and out of winding ; the top and bottom beds of such stone is better to be cut horizontally, and not at right angles with its inclined face ; all the joints to be laid on their outside edges with putty of the color of the stone, with as close a joint as practicable, and blinded. All the passages connected with the cells are to be paved with flag stone of different widths, but of lengths sufficient to stretch across the width of the passage, resting on offsets, made on the lateral walls, not less than four inches in thickness ; their joints laid in strong cement, their upper surface dressed out of winding, sound and free from imperfections.

The kitchen, internal and external foot ways, bathing room, fuel store and warming rooms, are to be paved with North river flag stone, laid with different sized stones, in a good workmanlike manner in sand and mortar, the stone to be dressed square and out of winding, the foot ways to have a curb stone of the customary dimensions.

#### CARPENTER'S WORK.

To furnish all the centering for the inverted and upright arches before described under Masonry of the span of rooms where they belong.

All the floors of the basement rest on barrel arches, excepting such as are described to be floored by platforms of flag stone, the ceilings of the basement to be formed of groined arches.

The rooms in the south wing in the second story of the principal front on Elm street are to be finished with groin-



ed arched ceilings of brick work. The corresponding wing on the same floor occupied by the Police department is to be formed of framed wood work, to be lathed and plastered. All the ceilings of this floor to be seventeen feet six inches in height, with the exception of the Grand Jury and common Court rooms which are to be twenty feet high, and lighted by a domed skylight ten feet in diameter, (as in fig. 9.)

A low segment dome that springs from spandrel arches rising from the angular piers shown in the plan of the rooms.

The Court of Sessions room to be twenty-two feet six inches high. The roof to be covered with copper, and to be hipped off on the square ; to rise five feet and screened by the upper member of the external wall cornice, which corresponds with the upper cavetto of the Portico. The frame work of this roof to be made of white oak trussed on the most approved plan, with scantling of ample dimensions, corresponding with the drawings and instructions furnished by the Superintendent. All the other roofs to be constructed in the most simple manner with sleepers of yellow pine, three by five, resting on solid arches, and flag stone ceilings of the summit rooms and passages, boarded and covered with metal.

The front building roof to fall eight feet in its span of fifty-four ; and the remaining shed roofs of the cells to fall three feet ; the roof of the House of Detention to fall on hips all round, its cornice to correspond in character, material and proportions with that of the principal, as shown in the elevation ; the rafters to be not more than eighteen inches apart, and the boarding of an inch and a quarter rough heart pine, ploughed and tongued together.

All the passages of the cells are to be ribbed with semi-circular inch hemlock boards lapped together, and placed at the same distance apart with the rafters to which they



are secured, every tenth to have a skylight inserted between it and the adjoining one, deep enough to contain a glass on each side of the roof at the apex, eighteen by thirty, hung in a sash to be raised and lowered at pleasure by pullies and string from the upper gallery.

The ridges of the roof to form a ventilating cap, which will allow the air from the cell flues to discharge themselves into the open air, and protect the apertures from the rain and snow, it consists of a (fig. 10,) ridge straddling the roof two inches from the inclined plane of its upper surface, and reaching three inches over the vent opening; it is supported by a vertical wooden bracket placed and nailed against every third pair of rafters, thus (as in fig. 10 and 11,) the upper ridge at (*a*,) to be covered with a narrow strip of copper (fig. 11,) to protect the joint secured with copper nails. Every cell window to have a sash to contain one pane of glass six by thirty inches in the rebate, hung on pivot hinges resting on the cast iron window jams to which it belongs.

Every cell to be provided with two doors (as in fig. 12,) two feet by five, formed of two inch well seasoned ash plank in three widths, the door next the passage to be ploughed and loose tongued together, the edges rebated all round, to set into the cast iron jambs (fig. 12,) to be hung with three strap hinges (*h h h*) extending the width of the door, two inches wide by three eighths thick, two rivets to each plank, headed on the inside, and counter-sunk rivets on the outside; the centre one has an eye projecting over to let the head of the secret bolt pass through it; the lock is secured at (*h*,) and its bolt enters the hole in (*i*,) the hinges rest on the hooks which are riveted to the cast iron jamb at (*k*,) the staple (*i*,) is double, one half is secured to the iron jambs, and the other slides out after the outside door is unlocked and opened, and enables you to draw back the bolt of the inside door; the inside bolt is made with knuckle joints to shoot in three directions

into the sockets at (*n n n*,) cast into the iron jambs, the horizontal one has a pin hole in it for the secret bolt to pass through; the tri-branch bolt is made of iron, inch and a quarter wide, by three-sixteenths in thickness; the ends that penetrate the sockets are case-hardened as well as the pivots (*o o*,) on which the inside door moves towards the passage, as also the end of secret bolt (*i*.) This inside tri-bolt is let flush into the thickness of the inside plank door and concealed by iron plates. The inside surface of the cell door is lined with one sheet of boiler iron, a quarter of an inch in thickness, screwed into the two inch plank with screws six inches apart. The iron is punched and the holes counter-sunk. The head of the screw has two pins in its flanged head, which comes off after the screw shoulders up to the counter-sinking, and presents one plain surface to the cell, and cannot be punched through, or drawn out.

A wicket door is constructed in this door at (*c*,) of boiler iron made to drop down this side of the iron lining, and inside of plank; when up it catches by a concealed spring and is secured on this side by a thumb screw, the opening is six inches high and ten inches wide, through which you communicate with the prisoner. The door-ways are lined with iron jambs, head and sill, cast in four plates half an inch thick, and screwed together at the angles by eyes, and lugs with wrought iron pins let into the stone heads and sills securely leaded; a flange projects all round on both sides, which straddles the wall and serves for the plastering to finish against; the secret bolt to have a cast iron shield screwed to the jambs.

Each cell to have a two inch white pine plank bedstead two feet wide and six feet long in the clear, the sides to be five inches above the bottom, bed composed of narrow slats resting on ■ narrow ledge, dovetailed at the angles, and hung to button up against the wall by iron pivots and eyes, screwed in the wall next the passage.

Also a shelf extending across the cell next the feed door, ten inches wide, and hung with two inch butt hinges, to throw back when the door opens; the shelf to be supported by white oak or yellow pine brackets, set into the wall.

Also a clothes rail and six pins to hang linen on, seven feet long; the ventilating openings to have a small inch white pine sliding door to work in a groove, to raise and lower at pleasure.

Each window to have an inch bead rod attached to the sash of the window to raise it when required, with a pin to screw it up or down.

The sash of the windows on Leonard and Franklin streets to be made for twenty-four lights, glass fourteen by twenty-one; the sash of the windows on Elm and Centre streets to be made for forty-eight lights each, glass fourteen by twenty inches.

The sash of the windows of the Offices in the rear internally of the Watchmens' dormitory, Police Offices, Jury rooms, Kitchens and Store rooms, are to be made with twelve lights of glass twelve by eighteen. The windows in the Court of Sessions to be large enough to admit a sash with twenty-four lights of glass fourteen by twenty. All the sashes to be made double hung, with sufficient weights and patent white cording, finished on the outside with an ovolo and bead, and on the inside with an architrave frieze and cornice in proportion to its general dimensions, and fitness to the character of the room in which it is placed. The windows of the wings on Leonard and Franklin streets to be of the size and form expressed on the fronts, and the sash of the shape and proportions to suit the peculiar form, made to hang.

All the doors to be made of two inch white pine plank, panelled in simple subdivisions, with mouldings and dressings of architrave pilaster, cornice and frieze to corres-

pond with its dimensions, and the window finish of the same room.

Each door to be provided with good and sufficient butt hinges, and a lock of approved construction of the averaged value of five dollars each.

A cherry hand rail to run round all the galleries three inches wide by two and half inches deep, to be made round and grooved for the insertion of the brackets which are to support it, every five feet; the brackets to be of cast iron let into the stone floor.

A similar rail to be continued down all the stair ways, supported by wrought iron banisters let into the steps, not less than two to each tread, the bars to be three quarters square.

All the floors not before described to be paved, are to be floored with two inch Carolina plank ploughed and grooved, resting on three by five inch white oak sleepers, to be placed not more than sixteen inches apart, and finished with a wash board ten inches high, surmounted by a moulding to girt four inches.

A gallery to be formed to extend across from the external cells to the House of Detention, and from thence to the Court of Sessions, six feet wide of yellow pine girders, eighteen inches by ten, cased and moulded, covered with two inch yellow pine plank and surmounted by a plain balustrade and rail, with posts to support the roof of the same, to be covered with copper, the sides above the balustrade to be filled in with venetian blinds. All the external angles of the piers to be provided with inch and a half beads to plaster against, securely fixed into their places.

The Watchmens' dormitory, Police Offices, Store room, Court room, Recorder and Clerk's room to be fitted up with bedsteads, cases, drawers, seats, tables, &c. &c., to suit the wants of the different departments of the size, form and in the position shown in the plans.

Gutters and conductors to be formed on all the roofs to carry off the rain water ; a discharge pipe to be introduced every fifty feet ; three inches in diameter, of copper ten ounces to the foot superficial. The gutters to be hung on hooks from the eaves securely fixed, and constructed to answer the purpose, the lower section six feet from the pavement to be made of cast iron furnished with a shoe and groove leading to the gutters of the yards. Each cell to be provided with a cast iron pipe and branch cane seat eight inches in diameter in the clear, in section equal to the length of the cell, to be well leaded together at their connections, sound and free from imperfections, with a stop cock at its commencement to admit, and shut off the supply of water, and a similar one at its lower extremity to discharge the contents into the connecting culvert. The seat to be constructed on the form of the last improvement to prevent the return of foul air into the cell and communication of sound from cell to cell, whether the conducting pipes are empty or full, (as in figure 13,) the pipes to be solidly fixed into the partition wall resting on a cut stone saddle, (as in figure 14.) Each cell to be provided with hydrant water to be supplied from a cistern in the roof ; the water to be pumped from a well or reservoir located in the yard or from the public water works. The main supply pipe from the cisterns to traverse on the gallery next the skirting, to be a three quarter inch lead pipe, and then to branch into the cells with a three eighth lead pipe, and turn up sixteen inches on the side next the bedstead, to finish with a brass cock, each to have a stop cock on the outside wall of the wall next the passage at the command of the keeper. A three inch cast iron pipe to supply the water closets in each story, to extend from the cistern to the entrance of pipes, and continue down to supply the bath house and kitchen, with discharge waste cocks to each department of suitable form and dimensions.



Cast iron window jambs to be inserted in each cell composed of four pieces half an inch in thickness, the sides and sills to be splayed, and the head square leaving an external aperture for the sash six by thirty inches; the flare to spread at an angle of forty five degrees to the inside wall, with an inch flange on the inside projecting to receive the plastering, (as in figure 15 and 16,) to be located next the ceiling, secured together in the manner of the door jambs before described. Each cell to have a cast iron ventilator of the form of a square box without ends, (as in figure 17,) with a circular screen on the outside of the external wall, five inches high and twenty-four inches long, and twenty-seven inches wide, the thickness of the wall in which it is inserted. To be placed next the floor in the upper cells and under the floor of the lower cells.

The flag stone floors of the lower tier of cells to have two ventilating holes cut into them situated near the centre of the cell floor, and a cast iron frame leaded into them with a rebate for the reception of a register, five inches by fourteen in the clear, of iron frame. Every cell to be supplied with warming pipes on the Perkin's plan, as introduced in the eastern Penitentiary of Pennsylvania, with its furnaces, generating coil, safety valve and every other part of the apparatus necessary to warm all the rooms in the building that is not provided with fire places, as may be seen in the plans.

An Ice Cellar to be built of sufficient dimensions to contain enough Ice to meet the demands of the Institution. Attached to which is a Larder fitted up with flag stone shelves, to be arched over, and finished with a drain to connect with the culvert.

This cellar must be situate near, and accessible from the Kitchen and Store rooms.

A strong Cistern is to be erected on the top of the House of Detention, of sufficient capacity to supply the Baths, Kitchen, Laundry, Cells and Water Closets, with



a daily quantity, say ten thousand gallons; the Cistern should be large enough to contain fifty thousand gallons; and be formed of cedar vats, made of three inch plank staves, and bottom securely hooped together with substantial wrought iron hoops, four inches wide by three-eighths thick, drawn together with an approved screw, no hoop to be less than twenty inches apart, the vats to be twelve feet in diameter and ten feet deep each in the clear, and the number necessary to contain jointly the water before calculated and expressed. These Cisterns to be connected by a three inch pipe, and waste to prevent an overflow.

A small Steam Engine must be employed to pump the water from the lower reservoir or well into these vats or cisterns above, as well as to do the cooking and supply the wash house and baths with warm water.

All the rooms are to be plastered with two good coats and a white coat; the mortar to be composed of good sharp clean sand and well burnt and slacked lime, mixed in just proportions; the first coat to be well mixed with good strong hair—the second coat to be well troweled and screened, and finished in the best workmanlike manner. The Police and Court rooms and Officers apartments to have a neat and well proportioned stucco cornice in them, to girt not less than fifteen inches.

All the wood and iron work to be painted with three good coats of oil color in the best workmanlike manner, taking care to prime and putty flush all the bad joints, nail holes and other imperfections common in carpenters' work.

If any work described in this specification should not be represented in the drawings or thereon drawn, and not herein described, it is to be considered as if expressed in both, to the full intent and meaning thereof.

JOHN HAVILAND, *Architect.*

New-York, March, 1835.

Proposals for all the before described work to be given in on or before the tenth day of April next, with the exception of the cast and wrought iron work and materials. Warming, watering, cooking and bathing apparatus—which includes the plumbing connected therewith, the material for covering of the roofs to be of tin, and the cut stone work to be estimated of Connecticut sand stone, and of Hallowell granite, two distinct proposals. The glass of exterior windows of best English crown, and of the inside windows of New Jersey best quality Jackson works; the whole to be completed within two years after possession of the site is given to the contractor.

The old Bridewell to be taken down and materials used by the contractor when Debtors' Prison completed, a specific sum therefore to be stated in the proposals, as an allowance for it.

**BOARD OF**  
**ASSISTANT ALDERMEN.**

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By Mr. Johnson :

In addition to the resolutions reported by the Committee  
*on the House of Detention, &c.* Doc. No. 60 :

*Resolved,* That the Committee on the House of Detention be, and hereby are authorized to sell to the Contractors for building said House of Detention, &c the Materials of the Old Bridewell, for ■ sum not less than \$3,000 ; the same to be taken down and removed, as soon as provision for the confinement of the Prisoners be made elsewhere.

*Resolved,* That said New Buildings, comprising ■ House of Detention, ■ Debtor's Prison, accommodations for the Court of Sessions, Police Office, Watch House, &c. be called ■ **THE HALLS OF JUSTICE.**"

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**DOCUMENT NO. 61.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**APRIL 27th, 1835.**

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Report of the Joint Committee on Finance and Laws, as to the investment of the public money in the capital stock of the New York and Erie Rail Road Company, with draft of a law. Adopted and ordered to be printed.

**R. FISHER, Clerk.**

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*Resolved,* That the said Finance Committee inquire into the authority of the Corporation of the city of New York to subscribe for, or purchase public stocks, as an investment of their funds, and if they have that authority, into the expediency of directing the Comptroller to subscribe for, or purchase at par, capital stock of the New York and Erie Rail Road Company, to an amount not exceeding five hundred thousand dollars.

The Joint Committee composed of the Committee on Finance, and the Committee on Laws to whom was referred the resolution, relative to subscriptions for, and investments in the stock of the "New York and Erie Rail Road Company," hereto annexed, most respectfully

**REPORT,**

That by the charter of the city, (page 40, ed. of 1832,) the Corporation of this city are made capable in law "to purchase, take, hold, receive, enjoy and have any messuages\*\*lands\*\*\*\*and real estate\*\*\*and also goods, chat-

*tels and all other things of what kind or quality soever,"* and to "give, grant, demise, assign and sell and otherwise dispose of, all or any the messuages\*\*lands\*\*\*\*and real estate, and all their *goods and chattels*, and *other things* aforesaid, as to them shall seem meet, at their own will and pleasure," and they are also authorised to "have and use a common seal for sealing all and singular deeds, grants, conveyances, *contracts*, bonds, articles of agreement, assignments, powers and authorities, and all and singular their affairs and things touching or concerning the said Corporation." And at a subsequent page, (62,) *the* Common Council is authorised and empowered to "frame, constitute, ordain, make and establish from time to time, all such laws\*\*ordinances and constitutions which to them or the greater part of them shall seem to be good useful or necessary for the *good rule and government* of the body corporate aforesaid, \* \* \* \* \* and for the farther *public good, common profit, trade* and better government and rule of the said city, and for the better preserving, governing, letting and setting of the lands, &c., goods and chattels to the aforesaid Mayor, Aldermen and Commonalty of the City of New York, belonging or to them and their successors, hereafter to belong, and all other things and causes whatsoever touching or concerning the said city, or the state right and interest of the same." These powers are of the most general character, and savor very strongly of sovereign authority, within the chartered territorial limits of the city. They certainly contain no limitation to the power of the Common Council in regard to the property, real or personal, of the Corporation, or any restriction to prevent the Corporation from making any contracts for the purchase of property, or the investment of its funds, the Common Council may in their wisdom direct. The passages above quoted, certainly rendered this Corporation independant of any aid from the Legislature, for the management of its concerns, ■■ either ■ private or public Corporation.

How far these powers may be *bargained away* by the acceptance by the people of the amended charter of 1830, with the restrictions therein, that "the Corporation shall not have authority to borrow any sums of money whatever, on the credit of the city, except in anticipation of the revenue of the year in which such loan shall be made, unless authorised by a special act of the Legislature ;" this Committee need not now inquire, as they do not purpose recommending a loan. Before the amended charter, the Corporation often acted under those general powers, and their authority so to do, appears not to have been questioned, and the precedents found, are authority to justify the Corporation in subscribing to, or investing their funds in the capital stock of the New York and Erie Rail Road Company. During the last war, the Corporation expended \$1,000,000 of dollars in fortifying the city, and advanced \$400,000 to the government of the United States on the credit of U S. Treasury notes. About \$2,800, has been expended in the erection of a monument in the county of Westchester, to the memory of a distinguished revolutionary character. About \$300,000 have been expended upon the third avenue, and from the city treasury ; about one third part of this money was expended on the *grading*, contrary to the general rule governing the city legislation, in such cases. And \$22,000 was expended in celebrating the completion of the Grand Canal. These expenditures could not have been made except the Common Council had power to do with the city funds as they deemed fit ; and they must have been made upon the principles, that they affected or concerned the "good rule and government\*\*public good, common *profit, trade\*\*\*\**of the said city." And the two latter had especial reference to the intercourse between the city and the county. Thus we have the law, and also the practice of the Corporation under it, giving that law a construction.

It will be asked, what are the funds which the city has

at its control, and which may be invested in the stock of the New York and Erie Rail Road Company ; and it is said that the city can have no surplus revenue from its property, because the annual estimates of expenditure are made with reference to the revenue from the city property, and application is annually made to the Legislature for authority to levy a tax for the money wanted, over and above that revenue. This is correct ; but the city owes ■ funded debt, as appears by the Comptroller's late report of 418,500 dollars. For the payment of this debt, (which is not redeemable until the year 1850,) a *Sinking Fund* is created by Chapter XLIX of the laws and ordinances of the city. Various items of revenue are, by title 2d of that ordinance, pledged to this Sinking Fund. The Commissioners of the Sinking Fund are authorised to invest the money only in purchases of the city stock, and stocks of the State of New York, or of the United States ; and such has been, and is the credit of those several stocks that the Commissioners have never yet been able to purchase any at such rates, as the interest of the city would justify. On the first day of January last—the date to which the Comptroller's last account was made up—there stood to the credit of the Commissioners, with the Mechanic's Bank, the sum of \$172,965 38 ; and the cash on hand has been reduced to that sum, only by the authority heretofore given to the Commissioners to invest it in the purchase of land for Essex Market. Lately they have been further authorised to invest 28,000 dollars in the purchase of land for the Seventh Ward Market, and \$60,000 in the purchase of Randall's Island, which will reduce the cash to the credit of the Commissioners in the Mechanic's Bank, *at this time after* adding receipts since 1st of January, to the sum of 106,870 43. These items of real estate, are all pledged to the Sinking Fund, so that the fund at present is as follows : to wit,

The above cash	\$106,870
Essex Market,	50,000
Seventh Ward Market,	28,000
Randall's Island,	60,000

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Making the sum of 244,870.  
a credit against the funded debt.

The Sinking Fund has the last year been increased from the means pledged to it, the sum of \$98,309 91, and the regular or ordinary revenues pledged to it, yield annually about the sum of \$60,000. The balance of \$98,300 91 was made up from sources yielding uncertain amounts, such as sales of real estate, butchers' stalls, &c. But still the annual addition to the Fund will probably amount to at least the sum of from 70,000 to 80,000 dollars. It would seem wise to provide some means for the investment of this annual income of the Sinking Fund, more available in the market than real estate devoted to markets and other public edifices, not subjects of merchandize, or even of sale. There are other funds at the command of the Commissioners, belonging to the sinking fund, but in the form of investments, to the amount of about \$61,000, which may be converted into the Erie Rail Road stock, should the Common Council deem it advisable to authorise it. Payments of the capital of this stock will, it is ascertained, be called for in instalments, of say two instalments of five per cent. each, during the current year, and say forty per cent in instalments of five or ten per cent. each, during the next year, and the balance in similar instalments, in 1817. These means would, under the authority of the Common Council, justify the Commissioners of the Sinking Fund in subscribing for 300,000 dollars worth of the stock, and yet leave a surplus in hand during the current year. The money will not be wanted to pay off the debt for which it is pledged, before the year 1850; and it is presumed that no one will doubt the high merchantable value of the stock at that time.



The policy, propriety, and expediency of the proposed subscription to, or investment in, the stock of the New York and Erie Rail Road Company, by the Corporation of the city of New York, remains to be examined. Two questions are presented. Will the investment be safe, and yield an income? Does a liberal and enlightened public spirit and policy require or justify it?

This road is to extend from the Hudson to Lake Erie, a distance of 483 miles, and form another band of union between the Ocean and the Lakes. It will open the markets of this city, to the regions tributary to the long line of inland seas stretching two thousand miles into the "far west," the products of which, having already overloaded our grand canal, are running over into the Mississippi and the St. Lawrence. The grand canal is no longer equal to the work required of it, and is closed for four months of the year. This Rail Road will be open all seasons of the year; cross and tap the rivers Delaware, Susquehanna, Chemung, Genessee, and Alleghany, all now tributaries to cities which are rivals of New York, and turn to this city the trade of the rich regions of our southern counties. It will supply the deficiencies of the grand canal; and, aided by the canals and rail roads of the western states, will drain Ohio, and intercept the Mississippi at St. Louis.

For several years, previous to the completion of the Erie canal, the taxable value of the real estate of this city was stationary, at an average of about \$52,000,000. But the moment the waters of the lakes touched those of the ocean, it sprung with new life, and has continued improving with the increase of internal improvements, and interior communications, until now in the space of ten years it is more than doubled, and exceeds \$114,000,000. This mean of our wealth has now reached its ultimatum. The Erie canal can do no more, and still the the products and population of the interior are increasing; and the



manufactures, and population, and commerce of the east are increasing; and all look here, to this city, as their common mart, their natural ground for meeting, exchange, and traffic. But the Erie canal can do no more: and the surplus wealth it cannot bring to us, must go elsewhere, if other conduits are not provided. This matter surely concerns the "public good, common profit, *trade*, and better government" of this city, committed to us by our charters and handed down to us by our ancestors.

The British crown nourishes Montreal and Quebec. Massachusetts, Pennsylvania, Maryland, South Carolina, and Louisiana, with parental care foster, protect and nourish their respective cities of Boston, Philadelphia, Baltimore, Charleston, and New Orleans. New York alone, influenced in her Legislature by sectional, or other interests, leaves her city a prey to her rivals, and to the resources of her own power for defence. Thus deserted by our natural protector, the duty would seem incumbent, that we should protect ourselves; and the occasion for our exertion, also seems urgent. Philadelphia, Baltimore, and New Orleans, backed by the power and patronage of their respective states, with a view to divert the trade of the west from, and to cripple, this city, are now pushing their rail-roads and canals, into, as it were, *our* domain, and soon will have set the currents from the west, into their docks, so strong as hereafter not to be diverted, unless New York at once improves her advantages, and turns them to herself. The New York and Erie Rail Road, in the opinion of this Committee affords the means of effecting this object: And it is also their opinion that it would be better for this Corporation to sink the amount of money mentioned in the resolution referred to this committee, to secure the building of the road, than to suffer it to fail for want of patronage; and it is verily believed that the taxable value of the real estate in this city, would be increased by this road enough to repay such investment and

loss, many fold. The stock of the company is now taken up to the amount of more than \$2,500,000, and if the city should take the amount of 500,000 dollars, mentioned in the Resolution referred, the completion of the work will, in the opinion of this Committee, be secured.

On the question whether the investment will be a safe one and yield an income. It may be enough for this Committee to say, that our most sagacious capitalists are investing large amounts of their money in this enterprise, not as a matter of speculation upon the rise and fall of the stocks, but as permanent investment secure and profitable.

But one formidable objection presents itself to the Committee against the proposed investment, and that is one of expediency. As to the power of the Corporation to make the investment, the means with which to make it, and the policy of it as regards its safety and profitableness and the great interests of the City, the Committee are satisfied. But if the investment should be drawn into *precedent* and be hereafter cited, as authority to justify the patronising of other works of Internal Improvement, not of a character as important, affecting interests as vast, of a magnitude as enormous, and apparently so beyond the efforts of individual enterprise, and at the same time, not merely neglected by the State authority, the Committee would look upon it with apprehension. The Corporation have heretofore, on the application of the Morris Canal Company and others, wisely refused their aid. No instance has arisen before, wearing the features above described, and none other is likely to arise; surely not in which individual enterprise of the Herculean effort of this, shall remain unassisted by the patronage of the State. As no similar cases is likely to arise, so the investment proposed cannot be cited as a precedent, and this Committee would certainly not recommend the extension of the City patronage to any work not of extraordinary importance.

With these views  
of scarcely minor  
the passage of the  
honor to submit  
Most respectfully

With these views, as leading ones, amongst many others of scarcely minor character, this Committee recommend the passage of the law, a draft of which they have the honor to submit herewith.

Most respectfully submitted,

HORACE HOLDEN,	}	<i>Committee on Laws.</i>
F. A. TALLMADGE,		
WM. SAM'L JOHNSON,		
LAMBERT SUYDAM,	}	<i>Committee on Finance.</i>
J. J. BOYD,		
WM. SAM'L JOHNSON,		

## A LAW

In addition to "a Law providing for the redemption of the City Stock."

The Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened, do ordain as follows :

SEC. 1. The Commissioners of the Sinking Fund are hereby authorised to subscribe to the capital stock of "the New-York and Erie Rail Road Company," to an amount not exceeding the sum of five hundred thousand dollars, or to invest in the purchase of said stock at or below its par value, any monies standing to their credit, in the Treasury ; but they shall not hold at any one time more than five thousand shares.

SEC. 2. The Commissioners of the Sinking Fund, are hereby directed, immediately after the passage of this law to subscribe for two thousand five hundred shares of the capital stock of the said Rail Road Company.

DOC

ASSISTANT

Report of the  
petition of James  
ed to be printed.

The Committee  
referred the annex  
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RES

The memorial  
right on the south  
extending toward  
This water right

**DOCUMENT NO. 62.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 4th, 1835.**

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Report of the Committee of Lands and Places, on the petition of James J. Jones. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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The Committee on Wharves and Piers to whom was referred the annexed petition of James J. Jones, in relation to building a Pier in the East River from the southwesterly side of Coffee House Slip—

**RESPECTFULLY REPORT.**

The memorialist is proprietor of a bulkhead and water right on the southwesterly side of Coffee House Slip, and extending towards Jones' Lane.

This water right is bounded on the northeasterly side

by the water of the City Corporation, forming what is called Coffee House Slip.

The filling up of this Slip which took place last year, and the consequent formation of South street, has rendered it necessary to extend a new Pier, so as to provide accommodations for vessels in lieu of those which have been destroyed by filling up the Slip ; and this is the object sought by the petitioner, who proposes to unite with the Common Council in building this Pier, and in doing so it is provided by the Statute of the State, that the expense shall be borne two-thirds by the proprietor of the water grants and one-third by the Corporation.

The Committee are of opinion this Pier when built should be of such length as to extend three hundred feet from South street, as this size will be necessary in order to make all the accommodations requisite for its useful occupation.

The water where this Pier is proposed to be built is between forty and fifty feet deep, and it is estimated by the Street Commissioner that to be three hundred feet in length it will cost about twenty thousand dollars, of which one-third or \$6,666 will be paid by the Corporation, and two-thirds or \$13,334 will be paid by Mr. Jones, and the wharfage from the inner or slip side will be received by the Corporation, and the wharfage from the outer side and end will be received by him, the petitioner, and to this your Committee understand he agrees.

Upon the whole the Committee are of opinion it is desirable in a commercial point of view, to construct the above mentioned pier, agreeably to the wishes of the memorialist, and offer the following resolutions :

*Resolved*, That this Corporation will unite with James J. Jones in building a Pier, from the southwesterly side of Coffee House Slip, to extend three hundred feet into the East river ; to consist of blocks and bridges in the usual manner, on condition that the said James J. Jones defrays



two-thirds of the expense of building said Pier, and the Corporation the remaining one-third thereof.

*Resolved*, That the proportion of expense to be paid by the Common Council as their part for building the said Pier, be charged to the annual appropriation for Docks and Slips for the current year.

*Resolved*, That the Street Commissioner take the necessary measures to carry into effect the object of the preceding resolutions.

G. HOPKINS,	} Committee	
THOMAS H. WHITE,		on Wharves
ISAAC DYKEMAN,		and Piers.

*To the Honorable the Corporation of the City of New-York :*

The petition of the subscriber owner of real estate at  
Coffee House Slip—

**RESPECTFULLY SHEWETH :**

That you petitioner is proprietor of a dock and water right on the west side of Coffee House Slip, adjoining the property of the Corporation ; and that owing to the projection of the Bulkhead lately sunk across the mouth of the Slip, by which vessels are prevented from lying in front of ■ portion of his property, the revenue from the ~~same~~ is very materially reduced. He therefore prays your honorable body to unite with him in the erection of ■ Pier, the expense of which to be borne equally by the two parties.

The undersigned is induced to propose this measure as the best calculated, not only to enable him to ~~use~~ a property which requires frequent and expensive repairs, but to provide for the public accommodation.

**JAMES J. JONES.**

*New-York, Nov. 19, 1834.*

**DOCUMENT NO. 63.**

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**BOARD OF  
ASSISTANT ALDERMEN**

**MAY 4th, 1835.**

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Report of Committee on resolution for building a Pier at the foot of Battery Place. Laid on the table, ordered to be printed, and made special order for the next meeting.

**R. FISHER, Clerk.**

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The Committee on Wharves and Public Lands and Places, to which was referred the annexed resolution, beg leave to

**REPORT**

That as it is a matter of public complaint, that the Wharves and Piers are not sufficient for the convenient

accommodation of the vessels employed in the exterior and interior commerce of the state, a duty is necessarily enforced upon the Corporation, of providing as extensive accommodations as may be practicable. The waters to the south of the site of the proposed Pier, are under the exclusive control of the city government, and comprise a sufficient area to enable vessels to lay at the projected Wharf in such mode to discharge and receive cargo's over the forward quarter ; a mode, in which your Committee are informed, vessels are compelled to lay in some of the neighboring cities.

This will give double the number of what are known and paid for as Wharf, or inside berths, to that rendered by the present mode. For want of space, it cannot be adopted at the Piers now existing in the lower part of the city. And it is peculiarly adapted to Steam Boats, and to Tow Boats, by which our immediate coasting and our interior trade is very nearly exclusively conducted. It will provide an extensive accommodation for this class of vessels ; which being so provided for, will relieve the other Piers and Wharves, and thus apply them to vessels engaged in the foreign and distant coasting trade.

With this view, your Committee would recommend a Pier to be built into the North River, as a continuation of Battery Place, to the extent of five hundred feet from the present bulk head. Of this Pier, should West street be extended to it, the half or two hundred and fifty feet would be required for the formation of that street, and should thus be built solid.

Upon the second point, that of " its being of advantage to the revenue of the Corporation," the Committee have not the correct estimates for the cost of the projected Pier to enable them to speak with certainty. Assuming it however, as a fact that the Pier will not cost an amount ex-

ceeding one hundred thousand dollars, the revenue accruing at the rates of wharfage, fixed by statute would not be less than six thousand dollars per annum. But should the Common Council leave the Pier for the especial accommodation of any particular trade; this revenue would not be less than nine thousand dollars. At this rate and so to be appropriated, your Committee feel confident that it would immediately be leased. Believing, as your Committee do that it is both "expedient" and "of advantage to the revenue of the Corporation," that the Pier should be built they beg leave to offer the following resolutions :

*Resolved*, That a Pier be built at the foot of Battery Place, to extend in a direct line westwardly into the North River, a distance of five hundred feet, and with a continued width of fifty feet, such width to be estimated from the northerly line of Battery Place.

*Resolved*, That such Pier when completed be appropriated to the sole and exclusive use of the vessels employed in such trade as may offer the greatest price for such use.

All which is respectfully submitted.

G. HOPKINS,	}	<i>Committee on Wharves and Public Lands and Places.</i>
F. A. TALLMADGE,		
ISAAC DYCKMAN.		

*Resolved*, That the Committee on Wharves and Public Lands and Places, report as to the expediency of extending a Pier from Battery Place to the westerly bounds of

the permanent line on the North River. Reference being had in such report to the utility of such Pier to the Commerce of the port, and to its being of advantage to the revenue of the Corporation.



**DOCUMENT NO. 64**

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**BOARD OF  
ASSISTANT ALDERMEN**

**MAY 11th, 1835.**

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Report of the Law Committee in relation to the proper observance of the Sabbath. Laid on the table and ordered to be printed.

**R. FISHER, Clerk.**

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*Resolved*, That the Committee on Laws inquire what additions to, or alterations of, the laws (if any) are necessary, to enforce a due observance of the Sabbath. And also, that said Committee inquire into the reasons and causes, why persons are permitted to play, or are not prevented from playing at ball and other sports and plays in the Park, on the Sabbath day. And that said Committee report by bill or otherwise.

*December 1st, 1834.*

The Committee on Laws to whom was referred the resolution to inquire what additions or alterations, (if any) are necessary to enforce a due observance of the Sabbath, and also to inquire into the reasons and causes why persons are permitted to play, or are not prevented from playing at ball and other sports and plays in the Park on the Sabbath day—

### RESPECTFULLY REPORT,

That by the operation of the law which required all the ordinances of the Corporation to be re-enacted every three years, it is believed that many valuable provisions in regard to the preservation of the peace and good order of the Sabbath have become extinct. Since the adoption of the Revised Statutes, your Committee are not informed that the subject has been brought distinctly before the Common Council, and in the pressure of other duties, proper laws on this subject have been neglected.

It is very evident to your Committee that additional laws are necessary to enforce a due observance of the Sabbath. The great increase of our population, in addition to the unusual number of foreign emigrants, will suggest at once the importance of revising the laws on this subject, and while the Committee are far from wishing to compel persons to observe the Sabbath in any particular way, they only desire that laws shall be made and enforced to preserve good order, so that no profanation may be allowed to interrupt or disturb the religious observances of any of our fellow citizens.

In regard to the sports in the Park, the great numbers of boys who are in the habit of congregating there, require a more effective police than is by law stationed there, and the provisions of the laws now in existence, are altogether inadequate to the object.

The keeper of the Park has frequently been overpowered and abused by a mob of boys who treat him with ridicule and contempt and set the laws at defiance.

With a view to provide a remedy for the existing evils, your Committee have prepared the draft of a law, annexed to this report which they respectfully recommend for adoption.

HORACE HOLDEN,	}	<i>Law Commit- tee.</i>
F. A. TALLMADGE,		
WM. SAM'L. JOHNSON.		

New York, May 11th, 1835.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows :—

§ 1. No person or persons within the city of New York shall do any manner of servile work or labor on the Lord's day, commonly called Sunday, (works of piety, charity or necessity excepted,) under the penalty of five dollars. Nor shall any person or persons buy or sell, or show, or expose for sale in any shop, store or grocery, or in any market, cellar, street or place, or bring or cause to be brought into the said city for sale, or unlade or cause to be unladen from on board any vessel, boat or craft, or from any wagon, cart or other carriage within the limits of said city any goods, wares or merchandise, meats, fruits, vegetables or other provisions, or any other thing whatsoever on said day :—Or carry, drive or convey, or cause to be carried, driven or conveyed out of said city, or from any part thereof to any other part thereof on said day any goods, wares, merchandises, horses, beeves, sheep, hogs or other cattle, or any other thing whatsoever that shall have been brought into said city for the purposes of sale or trade under the penalty of five dollars for each offence.

Provided always that it shall be lawful to sell fish on said day until nine o'clock in the morning, and milk until nine in the morning, and after five in the afternoon.

2. And be it further ordained, that no keeper of an inn or tavern, or of any ale house, porter house or grocery, nor any other person within said city, duly authorised to

retail strong or spirituous liquors, shall on Sunday sell or dispose of any ale, porter, strong or spirituous liquors, excepting to lodgers in such inns or taverns, or to persons actually travelling on that day in the cases allowed by law, nor shall allow any such persons to remain tippling and drinking to excess in his, her, on their house or houses under a penalty of five dollars for each offence.

§ 3. And be it further ordained, that there shall be no shooting, hunting, fishing, playing, horse-racing, gaming, frequenting of tippling houses, or any unlawful exercises, or pastimes, done, performed, practised, carried on or exercised within the limits or jurisdiction of said city on Sunday, nor shall any person ride or wade any horse in the waters of the East or Hudson River, within the bounds of said city, on said day under the penalty of five dollars for each offence.

§ 4. And be it further ordained, that there shall be no playing at ball, quoits, marbles or other sports, nor any foot races, nor throwing of stones, nor any other games or amusements of any kind whatsoever carried on or exercised in any street, lane, park, square or public place in said city on said day, and each and every person offending against this provision, shall be liable to a penalty of five dollars for each and every offence, and which penalty shall be enforced agreeably to the 21st section of an act entitled, "An act relative to the powers of the Common Council of the city of New York, and the Police and Criminal Courts of the said city," passed January 23, 1833.

§ 5. And be it further ordained, that the Mayor of this city with the advice and consent of the Aldermen and Assistant Aldermen of the respective wards, may appoint so many proper persons for each ward, as the Common Council shall direct, as Sunday officers to keep the peace, repress riots, restore order, and carry into full effect the laws of this state, and the ordinances of the Common Council for the due observance of the Lord's day.

That the term for which the said officers may be appointed, shall commence on the first day of \_\_\_\_\_ in any year, and expire on the first day of \_\_\_\_\_ next thereafter, and that they shall receive as a compensation for their services \_\_\_\_\_ dollars, for each and every Sunday they shall respectively be employed in the discharge of their duty—the same to be paid by the treasurer on the warrant of the Comptroller.

That the said officers shall be under the direction of the Alderman and Assistant Alderman of the ward for which they are respectively appointed, and shall act in conjunction with the Street Inspector of such ward in the performance of their duties.

That it shall be the duty of the said officers to perambulate such streets, and frequent such public places in their respective wards from sunrise to sunset, as shall from time to time be designated and allotted to them, except during such time ■ may be necessary for the taking of their meals, and to ascertain and report to the Attorney of the Corporation, the name and residence of every person offending against any of the provisions of this ordinance, together with the names and residences of such witnesses as may be necessary to convict the offender—and if they shall be unable to discover the name and residence of such offender, they shall arrest and forthwith deliver him to the keeper of the Goal, to be placed by him in the First District Watch House, and there detained until the next day, when he shall be brought before a magistrate to answer for the offence committed.

§ 6. And be it further ordained, that no licensed butcher or any other person shall sell, or expose for sale any kinds of meat in any of the public markets, or the limits thereof, on Sunday, under the penalty of ten dollars for each and every offence, and in addition to such penalty, the Deputy Clerks of the respective markets shall have power to suspend any person having a stated stall, or stand in any market who shall be guilty of a violation of this section.



§ 7. And be it further ordained, that if any person who shall offend against any of the provisions of this ordinance shall be a minor, an apprentice, or a bound servant, then the parent, guardian or master of such person, as the case may be, shall be liable to the penalty so incurred and shall be prosecuted for the same.

§ 8. And be it further ordained, that all ordinances and parts of ordinances at any time heretofore passed by the Common Council of this city, and now in existence, which may be inconsistent with any of the provisions contained in this ordinance be, and the same are hereby repealed.



**DOCUMENT NO. 65.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 11th, 1835.**

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Report of the Special Committee in relation to the abuses of Grants. Laid on the table and ordered to be printed, for the use of the new members.

**R. FISHER, Clerk.**

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*Resolved*, If the Board of Aldermen concur, that it be referred to a Joint Special Committee, consisting of three members from each Board, to inquire and Report whether of the Grants of property, made by the Corporation, there is any, and if any, what property, not appropriated or used, for the object and purport of the grant ; and whether any, and if any, what powers, rights or privileges, have

been assumed and are exercised by Grantees, not warranted by the terms of their respective Grants.

Adopted by the Board of Assistants, April 1, 1835.

“ by the Board of Aldermen, March 3d, 1835.

Approved by the Mayor, April 2, 1835.

The Committee appointed by the Board of Assistants,—Messrs. Boyd, Tallmadge, Bruen.

The Committee appointed by the Board of Aldermen,—Messrs. Stilwell, Varian, Hopkins.

J. MORTON, Clerk.

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The Committee appointed by the Resolution hereunto annexed, beg leave respectfully to

#### REPORT,

That the matter submitted to them is one in which the citizens have a deep interest; one that has an essential bearing upon the public revenue, and which thus recommends itself forcibly to the attention of the Common Council, at the moment that measures are in progress to create a large debt, as involving one of the sources which may supply the means of discharging that debt.

Sufficient time has not been allowed to the Committee, to investigate the facts in relation to the various Grants that have been made by the Corporation; they have thus confined their examination to one, in which it is believed that the property “is not appropriated or used for the purpose and object of the Grant,” and in which “powers, rights and privileges have been assumed, and are exercised by Grantees, not warranted by the terms of their respective Grants.”

On the 7th of January, 1767, the Governors of the College of the Province of New York, (now Columbia College,) presented a petition to the Common Council, stating that they were vested in fee simple of a lot of ground, bounded northerly by Murray street, and south-

erly by Barclay street, and extending along the river 440 feet; which "*had been granted to them for a College, for the instruction of youth in useful learning; that they had accordingly erected a decent edifice, and provided proper professors and tutors, and were exerting their best endeavors to render the institution adequate to the valuable purposes for which it was founded; that they were inclined, without delay, to improve the water lots fronting their grounds, as the earth was daily wasting away, which was absolutely necessary for carrying such an improvement into execution;—that the said Mayor, Aldermen, and Commonalty, from a consideration of the importance of a Public Seminary for the Education of youth in the liberal arts and sciences, and thereby qualifying them the better to serve and support their country, did, some time since, generously promise the said water lot, free from quit rent; to which benevolent resolution it was presumed the present worthy members could be no strangers.*"

They therefore prayed "That the said Mayor, Aldermen and Commonalty, *from a just sense of the usefulness of the petitioners' design, both as an improvement to the city, and as it would tend to advance the laudable institution committed to their care, would be pleased still to continue their favorable disposition, formerly expressed, and grant them the water lots, free from any quit rent. But nevertheless, should the said Mayor, Aldermen, and Commonalty have found reason to alter their former indulgent sentiments, and withhold their intended liberality, they, in such case, prayed, that they would grant unto them the said lots, 200 feet into the river, on such moderate terms and quit rent as might with confidence be expected by an infant Seminary of useful knowledge, from a Public Body, who had the power and means thus to contribute to its promotion, without charge or expense to themselves.*"

No action was had, by the Common Council, upon this Petition, until the 9th of May, 1770, when, after debate,

it was determined by a vote of 9 to 5, to grant the water lots, free from quit rents; and the Clerk of the Board was directed to prepare and submit to the Board, with all convenient speed, the drafts of a Grant.

This draft was submitted to, and approved of, by the Board, on the 25th of June, 1770.

On the 16th of August, 1770, the engrossed Grant was again submitted to the Board, and directed to be executed and delivered. On the 5th December, 1770, a Committee of the Governors of the College appeared before the Common Council, in pursuance of a Resolution passed by the Governors, "that the thanks of this Corporation be given to the said Mayor, Aldermen and Commonalty, for *this singular instance of their great favor and liberality,*" and to "assure them that this Board will always retain the most grateful sense of this *valuable testimony of their attention and regard to the welfare and prosperity of the College.*"

In the Deed of Grant, the petition of the Governors, as herein detailed, is recited as a preamble, and it is stated that they are granted as "so by them prayed for as aforesaid, and under and subject to the yearly quit rent of one pepper corn, and the several clauses, covenants, and restrictions hereinafter mentioned. By the Grantees, First street, (now Greenwich street,) Second street, (now Washington street,) and Third street, (now West street,) were to be made each of forty feet width, and were forever to be maintained as public streets, to the full breadth of the Grant; and Murray and Barclay streets were to be extended *into* Hudson river the *whole length* of the premises granted, at the breadth of twenty feet each, and to remain "public streets of the said city." All these streets were to be "for the inhabitants of the said city of New York, and all others passing or returning through or by the same, in such manner as the other streets of the said city now are, or lawfully ought to be."



By this detail of facts it will be perceived that the application was for a Grant of property to endow the College; it was so acted upon, and so acknowledged by the Governors. The Common Council made, by the Grant, an appropriation of the public domain to the most laudable of public purposes. The Governors became trustees for such purposes only. Can such property be diverted from the object of the Grant, without the perpetration of a direct fraud upon the citizens? without depriving them of advantages for which alone the Grant was made?

By the *reflecting* an answer will be furnished without argument; to others, argument would be useless.

Has the property been diverted from the purposes for which it was granted? To this question the Committee respond by stating the fact, that by Indenture, dated on the 1st of May, 1792, the Trustees of Columbia College, did "grant, bargain, sell, alien, release, and confirm unto Frederick Rhinelanders," all the property comprised in the water grant, for the annual rent of £4 12s. 9d. (\$11 59.)

An annual income of \$11 59, bargained for in 1792, for property which in 1770, the Governors of the College deemed a "valuable testimony of the Mayor, Aldermen and Commonalty, to the welfare and prosperity of the College," and one that, in the language of the petition, was "to enable the College to educate youth in the liberal arts and sciences, and thereby qualifying them the better to serve and support their country." Can this be done with an income of \$11 59? If not, surely the property is diverted from the obvious intent of the Grant.

Although the transfer to Mr. Rhinelanders was made on the 1st of May, 1792, it was not placed on record until the 31st of March, 1824; nearly thirty-two years after the transfer! At this latter period alone, could this Corporation have knowledge of the application which had been given to the property. It may also be remarked that had the College been deemed by either the *Trustees*, or by

*Mr. Rhineland*, as vested in the property in *fee*, and not in *trust*, they would not have sought to cloak the transaction in the meretricious garb of a perpetual lease, at so paltry a rent as \$11 59, in preference to an actual and full transfer.

Upon the principle of pre-emption, which has been so largely admitted by this Corporation, the College could claim no greater right in the water lots, than that held in the upland. This, it will be seen by the terms of the application, was "for the purposes of a College." That property cannot be diverted; neither can that created by the grant of the water lots. The Governors of the College were trustees of its property for a specific purpose. The Grant of the water lots extended the College property, but gave the Governors no new powers over it. Without the assent of the Common Council, the "Trustees of Columbia College" could exercise no power that the "Governors of the College of the Province of New York" had not, with respect to the water grant. Your Committee deem the facts stated sufficient to warrant the conclusion that a "fraud" has been committed on the citizens; and as this could have been known but in 1824, that prompt measures should be taken to recover the property for the purposes to which it was intended that it should be applied.

The tacit admission, which may be construed from acts of the Corporation subsequent to 1824, of right in *Mr. Rhineland*, or his heirs, to the property, will, it is presumed, be no bar to proceedings on the part of the Common Council. As a moral axiom, it is universally admitted, *that an act of ignorance shall not justify an act of fraud*. The ignorance of the Board should not justify the fraud of the Governors or Trustees of the College.

Your Committee would beg leave to fix the attention of the Boards upon the fact that the property alluded to, has been set apart for the *purposes of public education*. If recovered they trust it will continue to be so applied.

They respectfully beg leave to close this report by offering the following Resolutions :

*Resolved*, That the counsel of the Board be directed to commence and follow the requisite measure, to recover the property granted to the Governors of the College of the Province of New York, on the 16th of August, 1770.

*Resolved*, That an Associate Counsel be employed, and that five hundred dollars, as a retainer, be, and the same is for such purpose, appropriated.

*Resolved*, That upon the recovery of the property, it be appropriated in equal parts to the "University," and to the "Mechanics' Institute," to be held by them in trust, for the purposes of free education. Such institutions reimbursing to the Corporation of the city, all expenses of the suit.

ISAAC L. VARIAN,  
G. HOPKINS,  
J. J. BOYD,  
G. W. BRUEN,  
F. A. TALLMADGE.



**DOCUMENT NO. 66.**

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**BOARD OF  
ASSISTANT ALDERMEN,**

**MAY 11th, 1835.**

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Report of the Law and Market Committees. Referred back to Committee to be printed, after some alteration, for the use of the new members.

**R. FISHER, Clerk.**

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The Law and Market Committee to whom was referred the annexed resolutions to inquire into and report upon the expediency of so amending and altering the Market Law, that the rights of the Corporation may be more fully ascertained, and the interests of all parties advanced, in a manner more effectually to meet the increased and increasing demand for the Market accommodation—

**RESPECTFULLY REPORT,**

That on a subject of such deep interest to the health and comfortable accommodation of our widely extended

City, involving the all important consideration of furnishing its inhabitants with a wholesome supply of food and at fair and reasonable prices, they have felt it to be an imperious duty to give their most serious and unbiased attention.

That the Market Laws as at present administered need alteration, your Committee believe is admitted on all hands. The public are not satisfied with them, nor are that class of your citizens whose vocation it is to furnish us with the more substantial articles of Butchers' meat by any means dealt with in a manner satisfactory to a large portion of the younger part of the profession. The difficulty on this part of the subject your Committee beg leave emphatically to state, arises from the manner of letting what are called premium stalls. The Market law title 3rd, sec. 3rd, provides that "the Comptroller under the direction of the Market Committee shall from time to time, lease at auction or otherwise, as may be deemed expedient, for *for one or more years*, all the Butchers' stalls and so many of the stands for Fishermen, country people and sellers of vegetables and fruit, as they may think proper." Under this clause of the Market law has grown up a practice which in the opinion of your Committee, never could have been contemplated by the Common Council, namely, that of creating by said practice of receiving premiums, an unjust claim to a sort of imagined right in individuals to continue in possession of certain stalls which are merely rented to them under the said law by the Comptroller for one year.

The Committee arrive at this conclusion from the fact that the same title, section 4th, contains the following provision: "The rent for the first quarter of all the stalls and stands which may be leased as aforesaid, shall be paid prior to the delivery of the leases, and the said leases shall contain a provision that the rent shall be paid quarterly in advance or that the said lease shall be forfeited."



Title 4, sec. 2nd, is in these words: "All licenses so issued or which may have been issued heretofore, shall expire and cease on the first Monday of December, after the granting thereof, and shall be renewed by the said Mayor under the direction of the Common Council on application." In addition to these provisions of the Market law, your Committee further state, that the Comptroller in no instance grants a lease for a stall for more than one year. Your Committee are therefore at a loss to conjecture how the system of premium stalls could have been commenced and been continued until some particular stalls in certain Markets have been sold for many thousand dollars besides their annual rent, in any other manner or from any other cause, than from the reason that the rapid and great increase in demand for provisions, has not been met by a sufficient increase of Market accommodation to afford a necessary supply. Indeed the circumstance that the practice of giving premiums for stalls, when the lease is only for one year, and the party subject to the will of the Common Council should have obtained, would seem amply to sustain this conclusion.

Fully believing as your Committee do believe, that this practice of selling stalls had its origin in such defect, in providing sufficient Market accommodation, it must be obvious that they cannot approve it. Why should the Common Council collect this indirect tax from their fellow citizens? And what is it but an unequal burthen?—The poor man who buys but sparingly of poultry, deals almost every day with the Butcher. The rich man buys Butchers' meat when it suits him, and but a very small portion of it is acceptable to his palate—compared to the amount sold to the Mechanic and the working man. The wants of that portion of the community who furnish society with most of its implements, are greater than those of the less laborious. In the bounty of Providence, good health is one of the rewards of labor and leads to the

pleasures derived from a plentiful table. But even if this obvious inequality of the tax did not exist, the practice of letting premium stalls is abundantly proved to arise from want of sufficient Market accommodation from the fact, that all the vigilance of the City officers of every description cannot prevent the continual and systematic violation of the Market laws, so far as they restrict the sale of meat to the Markets. Your Committee believe there has scarcely been one session of either Board of the Corporation; at which petitions have not been presented, to be relieved from penalties or from imprisonment for violations of the Market laws.

To conclude upon this part of their report, your Committee after full inquiry are satisfied that so far is public opinion opposed to the system under review, that it is already impossible to prevent meat from being sold in other places than the Markets. That this practice is the root of all the evil that exists in our Market system, your Committee cannot doubt. It paralyzes the energies of those whose duty it is to enforce the regulations of the several Markets—it introduces an irregularity which pervades every department—in some instances an undue influence is said to be exercised over the Deputy Clerks, and in other cases they claim that custom has established a precedent for their regulation. Thus there is an uncertainty, a want of system and an incongruity in our present Market regulations, which need a thorough and complete reform.

Your Committee would not be understood as impugning or finding fault either with those who framed the Market laws, or those who have witnessed the growing up of the abuses which now prevail and which perhaps could not well have been prevented. Neither do they doubt the powers of the Corporation and of the Market Committee. It is the system itself, and the evils attendant upon it, to which they would invite the attention of the Common

Council. They do not propose now to offer a plan for the complete renovation and reform of the Market laws. Abuses that have long existed obtain a deep root, and sound policy would dictate that they should be remedied with great caution—that in this manner a proper amendment may be substituted. Your Committee therefore have gone thus fully into what they consider the radical evils in the Market system, more with the view as before stated, for the future action of the Common Council, than with any hope that they can be wholly remedied in the short time remaining to the present Board. With a view however to remove some of the injustice under which our citizens are laboring, and as your Committee conceive without invading any right of those who hold leases of Market stalls, under the present practice, they would respectfully suggest the following recommendations, accompanied with the annexed law.

The Committee further report, that in the competition at the purchase of Stands for Butchers in several of the Markets, considerable sums of money have been bid by Butchers for the choice of those stands, that as your Committee are informed the sales have always been conducted strictly within the powers delegated to the Market Committee, and that the terms have been set forth in advertisements, which were read at the time of such sale, yet that a pretence is set up by some individuals that they obtained by such purchase some greater right or privilege than was actually offered for sale or intended to be sold. Wherefore for the purpose of removing all possible ground of misapprehension in future, the Committee recommend the passage of an ordinance declaring the true intent and meaning of the ordinance granting powers to the Market Committee.

The Committee are of opinion that such has not been and ought not to be the design of the Common Council, and that whenever it shall be apparent that all the stands

for Butchers in any Market are actually worth any considerable sum of money in the nature of premium, beyond the rent fixed thereon, it affords evidence to show that there ought to be additional stands for Butchers in such Market, and such a measure would be called for (as well in justice to a number of young and enterprising Butchers wanting employment towards whom the present system of premium stalls work a manifest injustice as your Committee believe without the sanction of law,) as to the interest of the public at large, who would thereby have the benefit of an increased competition in the sale of meats.

The Committee are not aware that there are any other matters connected with the Market law, which require the immediate action of the Common Council, and they therefore recommend the adoption of the ordinance hereto annexed, as containing the provisions necessary in the cases above referred to.

All of which is respectfully submitted.

HORACE HOLDEN,	}	<i>Law Commit- tee.</i>
F. A. TALLMADGE,		
WM. SAM'L JOHNSON,		

WM. C. WALES,	}	<i>Market Commit- tee.</i>
LAMBERT SUYDAM,		
F. A. TALLMADGE,		

## A LAW

*To amend the Ordinance, entitled a law to regulate Public Markets.*

The Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened, do ordain as follows :

1st. That nothing contained in the third section of title third, of the ordinance entitled a law to regulate public Markets, shall be so construed as to authorize the Comptroller or the Market Committee to lease or otherwise dispose of stalls and stands for Butchers in any of the public Markets, for more than one year, or to make any contract, or give any assurance or consent that the same may be held by the person so leasing for any longer time than one year, on any terms whatever.

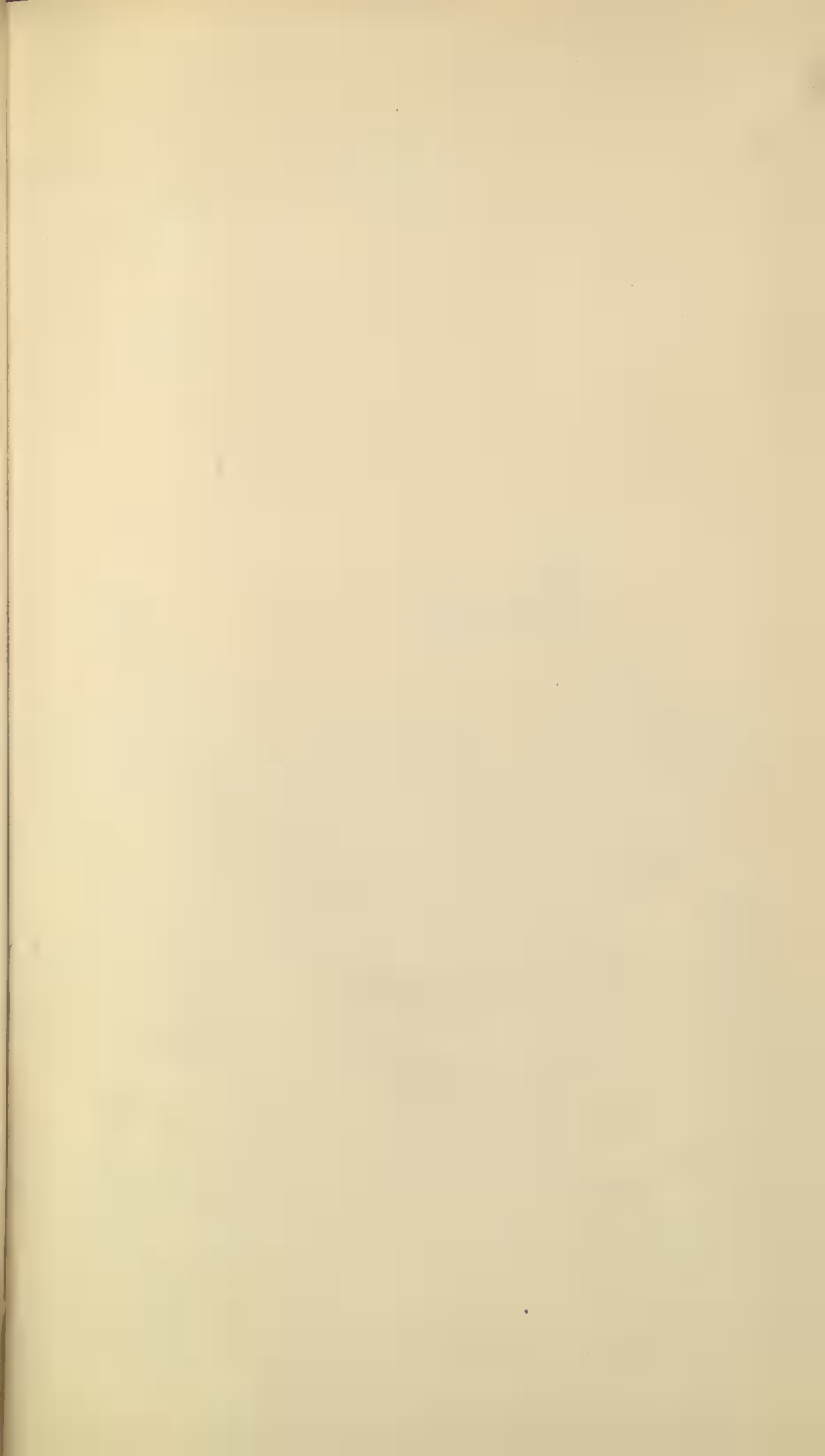
2nd. A suitable and proper person shall be appointed by the Common Council, who shall be known and called " The Chief Superintendant of the Markets," who shall be paid for his services the sum of                      hundred dollars per annum.

3rd. It shall be the duty of the said Chief Superintendant to superintend and direct the Deputy Clerks of the

public Markets in the performance of their duties ; and to perform such executive duties under the direction of the Market Committee, as they now are or hereafter may be authorised to perform or direct to be performed.

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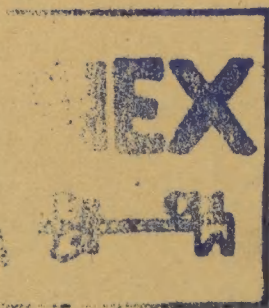
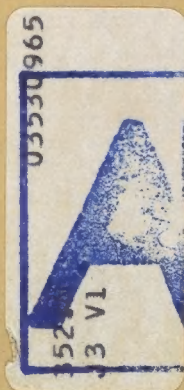


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